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The Palestinian *leistes*

A study in socio-political relations and rural survival in early Roman Palestine (63BC – 70AD)

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0. Introduction: understanding the Palestinian leistes

Reg:

Listen. The only people we hate more than the Romans are the f…… Judean People's Front.

Group:

Yeah!

Judith:

Splitters!

Group:

Splitters…

Francis:

And the Judean Popular People's Front.

Group:

Yeah. Oh yeah. Splitters! Splitters…

Loretta:

And the People's Front of Judea.

Group:

Yeah. Splitters! Splitters…

Reg:

What?

Loretta:

The People's Front of Judea. Splitters.

Reg:

We're the People's Front of Judea!

Loretta:

Oh. I thought we were the Popular Front.

Reg:

Popular Front! C-huh…

Francis:

Whatever happened to the Popular Front, Reg?

Reg:

He's over there.

Group (to Popular Front):

Splitter![1]

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[1] Text adapted from Goldberg, G.J., 'Monty Python and the works of Josephus: an essay in honor of the 30the anniversary re-release of *The Life of Brian*' (2009); on http://www.josephus.org/MontyPython.htm (05/04/2018).

Some fifteen minutes into Monty Python's 1979 *Life of Brian*, we see main character Brian Cohen of Nazareth at work as a snack seller in the Jerusalem amphitheatre. There, on the almost empty seating of the building, Brian encounters the members of the People's Front of Judea, a fictional Jewish resistance movement against the Romans in first-century Roman Palestine. They get talking and, as we can read in the quotation above, start discussing the variety of rebel movements active in the Holy Land. This comical scene, in which the Pythons were making fun of the appearance of an abundance of very similarly-named political movements in the 1970s[2], might as well have been taken from one of the works of first-century Jewish historian Flavius Josephus. When reading Josephus' *Bellum Iudaicum* or the last books of his *Antiquitates Iudaicae*, we get the impression that early Roman Palestine was a place crawling with what Morton Smith has dubbed *troublemakers*.[3] The pages of his books are laced with rebellious and troublesome figures like magicians, false prophets, zealots, sicarii, and, the most ubiquitous of them all, *leistai*.

These *leistai* are what interests us in this present study. Traditionally, the Greek *leistai* (singular: *leistes*) and its Roman counterpart *latrones* (singular: *latro*) are translated into English as brigands or bandits. However, a close reading of our sources reveals that both *leistes* and *latro*, and the phenomena corresponding with them (respectively *leisteia* and *latrocinium*[4]), are broader and more specialised in their meaning than simply "*one who lives by plunder, usually as a member of a band*", the Merriam-Webster definition of a brigand.[5] This problem concerning the use and definition of *latrocinium* in ancient society is one of the reasons why it has proven to be very difficult to come to an understanding of whom the Palestinian *leistes* was and what place he occupied in society in the rural parts of early Roman Palestine.

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2 Chapman (2016), 446.

3 Smith (1999), 501-568.

4 In this study, I will under normal circumstances make use of the Greek word *leistes* and the Latin word *latrocinium*. I prefer *leistes* over *latro*, because the main source of this inquiry, Flavius Josephus, wrote in Greek. However, when referring to the phenomenon, using *latrocinium* is more appropriate, seen that most scholars have preferred *latrocinium* over *leisteia* to an extend that the former has become standard in scholarly pieces concerning 'banditism' in the ancient Mediterranean world.

5 Encyclopaedia Britannica, *Webster's Third international dictionary of the English language unabridged with seven language dictionary*. Volume I: A to G (London e.a. 1976), 277. We will discuss these definitional problems in more detail in a further section of this introduction.

The last 150 years, many books and articles have been written about the Palestinian *leistes*.[6] Two major models have dominated the field, arguing for a very different interpretation of the nature of *latrocinium* in early Roman Palestine. The oldest variant, the Zealot model, saw *leistai* in early Roman Palestine as members of one overarching Jewish resistance movement that aimed at removing the Romans from power in the Holy Land and at the restoration of the traditional Jewish cultural and political practices. In this model, the Palestinian *leistes* was a religiously-inspired freedom fighter, who lived clandestine in the mountain regions of Israel/Palestine and who performed guerrilla-like actions in order to undermine the Roman occupation of his fatherland.[7]

In the second part of the twentieth century, scholars started to get displeased with the Zealot model, mainly because they realised that the idea of an overarching resistance movement was not in accordance with the sources, but a result of the willingness of scholars to see clearly different groups of troublemakers as parts of one movement[8]. By 1979 a new model started to emerge. For the construction of this model, Richard Horsley relied on Eric Hobsbawm's character of the social bandit and he argued that most *leistai* mentioned in Flavius Josephus' books and in the Gospels, could be identified as such social bandits, i.e. Robin Hood-like figures who stole from the rich in order to give to the poor in times of extreme poverty and famine. In this social banditry model, *leistai* were no longer religiously-inspired freedom fighters, but members of the peasant class (note the explicit Marxist concept of class being applied to rural early Roman Palestine), who, in the eyes of their fellow peasants, acted against injustice by stealing from the wealthy in times when they felt the rules of the moral economy[9] were transgressed by these better-of members of society.[10]

The past three decades however, critique of Horsley's model has become more and more problematical for the social banditry model's credibility[11], and, although it still remains the standard interpretation of *latrocinium* in early Roman Palestine (especially outside the

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[6] For an overview of the literature on *latrocinium* in early Roman Palestine, see chapter 1, in which I will focus more deeply on the content of the major models and why scholars started to get displeased about them after a certain period of time.

[7] Most elaborately worked out in Hengel (1989) [1961]. See also section 1.1 of this study.

[8] Zeitlin (1962), 395-398 and Smith (1971), 1-19. For an overview of earlier disagreements with the Zealot model, see Smith (1971), 1-19 (especially the first part of the article) and Donaldson (1990), 19-25. See chapter 1.2 for an overview of the critiques that heralded the downfall of the Zealot model.

[9] For a discussion of E.P. Thompson's concept of moral economy applied to peasant society, see Scott (1978).

[10] On social banditry in early Roman Palestine, see especially the works of Richard Horsley: Horsley (1979a), 37-63, Horsley (1979b), 435-458, Horsley (1981), 409-432, Hanson and Horsley (1999) [1985], Horsley (1985), 334-348, Horsley (1986), 159-192 and Horsley (1987). See also sections 1.3 and 1.4 of this study.

[11] For the discussion of why this is the case, see chapter 1.5.

realm of studies explicitly dealing with the subject of Palestinian *leistai*[12]), increasing numbers of scholars are rejecting its applicability.[13] Nevertheless, no new model of interpretation has emerged to replace the social banditry model.

It is because I share this present discomfort with the existing models of interpretation, that I will conduct an inquiry into whom the Palestinian *leistes* really was. In order to get a better understanding of *latrocinium* in early Roman Palestine, I will ask throughout this study how Palestinian *leistai* fitted into early Roman Palestinian society, which role they played within this society, and how they impacted upon the history of Roman Palestine in the years between 63BC and 70AD. To gain insight in whom the Palestinian *leistes* was, I will pose four interrelated sub-questions to the source material I will be using; i.e. Flavius Josephus' *Bellum Iudaicum*, *Antiquitates Iudaicae*, and *Vita*. First, I will ask how *latrocinium*-like activities came into existence in early Roman Palestine. Using Shaw's and Hopwood's models of *latrocinium* as the result of relations between regional strongmen and rural dwellers, I will research how such relations came into being and what role *latrocinium* played in the economic and social survival strategies the people involved in it relied upon to secure their place within early Roman Palestinian society. Second, I will turn to the question of how regional strongmen involved in *latrocinium*-like activities build up their networks of power in order to understand the role *latrocinium* played in practising political power in the Palestinian countryside. I will look at how they forged relations with both the peasants living in their county and performing *latrocinium*-like activities under their protection and with the central government. Furthermore, attention will be paid to the particular case of Galilee during the first months of the Jewish Civil War of 66-70, to get an understanding of what happened when two or more regional strongmen involved in *latrocinium* (hence forth also called *archileistai*) came into conflict with each other. Thirdly, the question will be asked how the central government, either the Jewish king or the representatives of Rome, dealt with the phenomenon of *latrocinium* in early Roman Palestine. At times, they fought the Palestinian *leistes*, but at other moments, they tried to work together with them. I will look at how the central powerholders instrumentalized both these *leistai* and their victories over these latter men to strengthen their own position within the empire. Fourthly, I will ask a question that was brought to the fore by Flavius

[12] Blumell (2008b), 36.
[13] For a detailed overview of why the social banditry model has become more and more controversial and should be tossed aside completely as an interpretative model to explain *latrocinium* in early Roman Palestine, see chapter 1.5.

Josephus himself and from which no scholar of *latrocinium* in early Roman Palestine can escape: what part did the Palestinian *leistai* play in the course of the First Jewish Revolt, or better, in light of some findings I will do in this study, in the course of the Jewish Civil War of 66-70? Palestinian *leistai* played a fundamental role within this conflict, which cannot be thoroughly interpreted without a good knowledge of whom the Palestinian *leistes* was and how power relations worked within the early Roman Palestinian countryside. To get an understanding of this major conflict in the history of early Roman Palestine and to access the full role of the Palestinian *leistes* within it, I will use the model of multi-polar network-centric insurgency developed by Reno and Turner. Multi-polar network-centric insurgencies are political conflicts that occur within weak, (almost) non-bureaucratic states. They arise when one or more regional strongmen decide to challenge the central government by making use of a network of clients within society, modelled after the patron-client networks the central government set up to rule the country. This results in an internal strife between various parties within society [multi-polar], fighting each other through their patronal networks [network-centric].[14] All these questions combined will allow us to answer the question who the Palestinian *leistes* really was.

In order to construct an appropriate methodology and approach to deal with these questions and to come to meaningful answers, we have to contemplate first two major questions that lie at the root of why, after 150 years of scholarship, so little is known about the Palestinian *leistes* and the role of *latrocinium* in early Roman Palestine. First, we will have to think about why it proves so difficult to get an understanding of what *latrocinium*, both in early Roman Palestine and in the wider ancient Mediterranean world, encompassed. I will argue that this has to do with the otherness of *latrocinium* as a rural phenomenon to our own urban, postmodern world, and with the difficulties surrounding the broadness of the use of *latrocinium* in Antiquity.[15] Second, we will have to think about the view towards *leistai* held by ancient authors and about the reasons they had for including such men into their narratives. Were all people dubbed *leistai* in our sources involved in *latrocinium*-like activities, why were they called *leistai* by our ancient authors and why did these latter ones write about people whom they considered outsiders of Graeco-Roman society?[16] By taking into account these difficulties,

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[14] On (multi-polar) network-centric insurgency, see Reno (2012), 157-171; Turner (2016), 282-311 and chapter 5 of this present study.
[15] See sections 0.1 and 0.2 of this study.
[16] See chapters 0.4 and 0.5.

we can avoid the pitfalls that hindered previous scholarship from constructing a picture of the Palestinian *leistes* that corresponds more than just loosely to the source material we find in Josephus' books.

0.1. The otherness of the Palestinian *leistes*

"*But one thing seems clear to everyone who returns from field work: other people are other"*, Robert Darnton remarks at the beginning of his *The great cat massacre and other episodes in French cultural history*.[17] The last four words of this citation refer to an interpretation of culture that was made famous by anthropologist Clifford Geertz some 50 years ago: the idea that "*(...) man is an animal suspended in webs of significance he himself has spun*."[18] According to the view of Darnton and Geertz, culture is something inherent to the people that have given form to this culture. In other words: the culture of, for example, the Belgian people is a culture that is only fully understandable to them. This means that if a non-Belgian wants to inquire the Belgians and their culture, he will never succeed in grasping completely what being Belgian is all about. This because of two reasons. First, because he is not part of the Belgian cultural web, and second, because he is part of his own cultural web, from which he can never completely free himself.[19]

One might wonder what this has to do with *latrocinium* in early Roman Palestine, but what applies to an anthropologist researching a foreign people, also applies (to a certain extend) to a historian looking at people in the past, as Darnton argues in his introduction.[20] There is a cultural difference between our world and the world of the early Roman Palestinian *leistes*, a gap that never can be bridged completely. In order to make this more tangible, we can refer to a story told in a Rabbinical text that happened only a few decades after Titus' capture of Jerusalem.[21] Three days after they had killed his son, a band of *leistai* went to pay a visit to the influential Galilean rabbi Haninah ben Teradion in order to inform him about the killing. The son had joined their gang, but he had disclosed a secret of theirs and therefore the other

[17] Darnton (1984), 4.
[18] Geertz (1973), 5.
[19] Burke (2012), 36-39.
[20] Darnton (1984), 4-7. In fact, this idea that there is an unbridgeable gap between the world of the historian and the one he is researching and that he is therefore unable to ever get a full understanding of the society he aims to understand, is the core idea of historicism as it was developed by Leopold von Ranke. Iggers (1995), 129-152.
[21] Although this story falls a little out of the timeframe looked at in this study, there is no significant difference between the nature of *latrocinium* described here or in the two centuries before. Therefore, there is no reason for not including this passage.

members had killed him and afterwards filled his mouth with dust and pebbles, as was the customary punishment for snitches. Out of respect for rabbi Haninah ben Teradion, they wished to pronounce a eulogy for their former gang member, but his father did not allow this. Not because he was angry with the *leistai* for killing his son, but because he and his family wished to make the eulogy themselves. Consecutively, rabbi Haninah ben Teradion, his wife, and one of his daughters all criticised the murdered son because of his disloyalty towards the gang of *leistai* he was part of.[22]

This story seems a bit strange to us. We would not associate influential people like the family of rabbi Haninah ben Teradion to brigands, and we are certainly stunned by the stance the murdered man's family members took in favour of these rascals. The unfamiliarity of this story towards modern people's views of the world has also had its influence on scholarly interpretation. Because they intellectually refused to believe that influential people like rabbi Haninah ben Teradion would let themselves in with brigands, some scholars have argued that these *leistai* where in fact no mere bandits, but politically motivated freedom fighters of whom rabbi Haninah was one of the leaders. This hypothesis was further strengthened by the known anti-Roman position of the rabbi.[23] However, there is no actual proof that the *leistai* mentioned had to be freedom fighters. Schäfer correctly warns us that it would be naïve to assume that these men could not have been 'normal' bandits.[24] It would be very narrow-minded if we posited such an identification solely on the argument that this would be strange and difficult to comprehend from our point of view. We have to keep in mind that the world described in this story was radically different from ours and that what seems strange and inexplicable to us, may have been completely logical for the people living and functioning in Roman Palestine. To the other extreme, Palestinian *leistai* should not automatically be equated to bandits either, just because of some superficial similarities between them and these latter men more familiar to our own historical context.

The discussion about this passage warns us not to reject the otherness of the past and to try and mold it into a version of reality that is more familiar to us. Unfortunately, this is exactly what has happened concerning *latrocinium* in early Roman Palestine. Both the Zealot model and the social banditry model, struggling with the otherness of what *latrocinium* encompassed

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[22] *Midrash Rabba Lamentations* 3.6.
[23] Mor (2016), 64. Rabbi Haninah ben Teradion was one of the famous Ten Martyrs, killed by the Romans in the days of the emperor Hadrian.
[24] Schäfer (1981), 108.

in the past, decided (unconsciously?) to quit trying to understand the otherness of the Palestinian *leistes* and instead approached their object of interest from grand theories that were proper to their own cultural and historical world, but alien to early Roman Palestine.[25] The Zealot model applied the idea of nationalism onto *latrocinium*, and ended up claiming that Palestinian *leistai* were nationalist and religiously inspired freedom fighters striving for an independent Jewish state, while the presence of the idea of Marxist class struggle in the concept of social banditry prompted Horsley to see early Roman Palestine as the battlefield of an ongoing struggle between the peasant class, of whom the *leistai* were part, and the regional elites.

The mistakes of our forerunners should urge us to take the otherness of the Palestinian *leistes* serious. Doing so means accepting that we will never get a full understanding of what happened in early Roman Palestine, but it also opens up new chances to get a better understanding of the society these *leistai* were living in. After all, it is the combination of *latrocinium* as a central element in early Roman Palestinian life on the one hand and as an alien concept to our present minds on the other, that makes the Palestinian *leistes* such an interesting and promising topic for scientific inquiry. By trying to get an understanding of the Palestinian *leistes*, we will come as close to understanding early Roman Palestine as is culturally possible for people not part of the early Roman Palestinian culture. After all, as Darnton remarks, whenever we find in the past something that seems to us strange but very ordinary to the people in our sources, we may be on to an element that was manifest to the earlier historical context. Therefore, this element may prove very useful to approach the lost world of our sources and to get as deep an understanding of an alien historical context as possible.[26] Thus, "*we should*", to quote Darnton one last time, "*set out with the idea of capturing otherness*", when we are researching *latrocinium* in early Roman Palestine.[27] To do so, we first have to develop a basic understanding of what ancient men and women meant when talking about *latrocinium*.

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[25] See chapter 1.

[26] Darnton (1984), 3-7. Geertz and Darnton used this approach of looking at otherness to get access to alien cultures, both in the past and today. We might however also use such an approach to get a better understanding of social life in early Roman Palestine. The social historian of early Roman Palestine should acquire a good knowledge of who the Palestinian *leistes* was in order to get access to the social world of this period. The otherness of the Palestinian *leistes* forms in a way the bridge between our own world and the lost world of early Roman Palestine.

[27] Darnton (1984), 4.

0.2. The meaning of *latrocinium* in Greek and Roman times

Earlier, we noted that the Greek *leistes* and the Roman *latro* were used in a much broader range of cases than the English brigand or bandit. When reading ancient sources, both literary and documentary, we come across a whole range of (at first sight) very different people being called *leistai*. For example, Cicero calls Catilina a *latro*[28], while Tacitus uses this terminology when referring to the bands of nomads supporting the first-century African rebel leader Tacfarinas.[29] Catilina and Tacfarinas appear not to have had a lot in common and they certainly did not qualify as men living by plunder, acting as members of a bandit gang. In other sources, we find pirates, nomadic people, or members of a city gang being called *latrones* or *leistai*. The reason that it was no problem for Cicero and Tacitus to call such a broad range of men *latrones*, was that by their time, the word *latro* had evolved into a container-concept, used to denote "*men who threatened the social and moral order of the state by the use of private violence in pursuit of their aims*", as Shaw summarised it.[30] Everybody identified as someone who threatened the interests of the state in an illegal way or who breached the state's monopoly of violence ran the risk of being labelled a *leistes* or *latro*.[31] Furthermore, by the first century AD, it had become an often-used and powerful defamatory name, used to slander one's political opponent.[32] Whether one was called a *leistes* had thus more to do with the one calling him a *leistes* than with the alleged *leistes* himself.

Latrocinium turning into a container-concept may have been useful for ancient people like Cicero and Tacitus, but for present-day historians it turns out to be very frustrating. Not only is it impossible for us to understand every single time which sort of *leistes* the ancient authors are discussing[33], it also becomes difficult to define these different sorts of *leistai* when it is unclear which sources to include and which not. In our case for example, it is obvious that Catilina should be excluded, but what about rebel leaders like Tacfarinas? Do they not share certain similarities with Palestinian *leistai* like John of Gischala?

Luckily for us historians who look at *leistai* performing bandit-like activities in the countryside, our *leistai* are the original ones, from whom the container-concept originates, and

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28 Cicero, *In Catilinam* 1.13.21 and 2.7.16 and *Pro Milone* 21.55.
29 Tacitus, *Annales* 2.52.
30 Shaw (1984), 3-4.
31 MacMullen (1963), 221-225; Shaw (1984), 3-8 and Brüggemann (2013), 1028.
32 Grünewald (2004), 1-9; Riess (2010), 359-361 and Brüggemann (2013), 1030.
33 Grünewald (2004), 2.

therefore we can look at the archaic Greek 'ancestors' of the words *latrocinium* and *leisteia* in order to get some idea of how we should view *latrocinium* in early Roman Palestine. Indeed, in archaic and classical Greek times, *leistai* had not yet gotten its negative connotation of "*men who threatened the social and moral order of the state by the use of private violence in pursuit of their aims*".[34] This only happened with the emergence of more centralised empires in the Hellenistic and Roman period.[35] In the archaic Greek world, *leisteia* was considered a normal way of making a living in the countryside. Aristotle named it as such among herding, fishing, hunting, and farming.[36] And Thucydides, although himself no fan of *leisteia*, lets us know that it is still considered an occupation that deserves some glory in the eyes of many fifth-century BC Greeks.[37]

This, however, does not yet tell us anything about what *leisteia* precisely meant to those people. In order to get to know this, we have to turn to the Greek lingual ancestors of *latrocinium*. Its Greek root *LATR was initially used for words that had to do with performing services for reward. *Latris*, for example, was the Greek word for mercenary.[38] In these early days, this 'performing a service for reward as a mercenary' could be done employed by an official entity. We find the term *leisteia* indeed used in Greek society to refer to mercenary-like activity performed by people who were hired by one Greek polis to raid another, for example by way of retaliating for an earlier wrongdoing.[39] Only when the poleis lost their independence and all official power came to be centralised in the hands of Hellenistic states, did *latrocinium* acquire its negative connotation.[40] By that time, when non-state actors, like cities, villages, or rich landowners, hired men to perform *latrocinium*-like activities, these men and their mandators ran the risk of being called *leistai*.[41]

This leads us to two conclusions. First, *leistes* (or *latro*) for that matter was not a name these people would give to themselves. Second, we may conclude that real *leistai*, like the ones active in early Roman Palestine, were people who were involved in some kind of vertical relationship and due to this relationship performed bandit-like activities like robbing passers-by, raiding villages, stealing crops from fields, …

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34 Shaw (1984), 3-4
35 Shaw (1984), 3-8.
36 Aristotle, *Politeia* 1.8.6-8.
37 Thucydides, *History of the Peloponnesian war* 1.5-6.
38 Shaw (1984), 25-26 and Grünewald (2004), 4-5.
39 Bradford (2010), 357-358.
40 Briant (1976), 163-258 and Clavel-Lévêque (1978), 17-31.
41 Shaw (1984), 3-8.

0.3. *Latrocinium* and patronage in the rural parts of the Roman empire

This basic interpretation of *latrocinium* also formed the root for the models of B.D. Shaw[42], Keith Hopwood[43], and Werner Riess[44], who can, roughly, be identified as members of the Third Phase in the historiography of *latrocinium* in the ancient Mediterranean world. The First Phase, which ended around 1960, is characterised by the fact that it did not encompass much more than the assembling of material concerning *latrocinium* in an antiquarian way.[45] Martin Hengel and the young Ramsey MacMullen still stood with one leg into this phase, as can be seen from certain pages in their works.[46]

Nevertheless, both scholars also belonged to the Second Phase, in which scholars started to analyse the collected material on *latrocinium*, although drawing heavily upon ideas inherent to twentieth-century society.[47] This is the time of the great models, the time to which both major models on *latrocinium* in early Roman Palestine belong. Hengel and MacMullen stood at the cradle of one type of interpretation: the political one. Hengel based his theory on his reading of all kinds of text that had to do with troublemakers in early Roman Palestine to claim that the basic tension had to be found between the *leistai* as Jewish resistance fighters and the Roman occupator of the Holy Land[48]. MacMullen drew upon third- and fourth-century laws and on the figures of notorious *leistai* like Bulla Felix, Claudius, Amandus, and Aelian, to point also at the *leistes* as primarily an opponent of imperial power rather than as a mere bandit roaming the countryside.[49] Besides this influential faction that defined *latrocinium* primarily in terms of a conflict between rebels and the central government, there was a second, equally influential faction that based its interpretation on Hobsbawm's character of the social bandit and/or on the Marxist notion of class conflict. It will come as no surprise to the attentive reader that the afore-mentioned Richard Horsley was one of the most influential writers within this faction.[50]

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42 Shaw (1984), 3-52; Shaw (1990a), 198-270; Shaw (1990b), 300-341; Shaw (1993), 176-204; Shaw (2000), 361-403; Shaw (2001), 758-763) and Shaw (2014), 225-242.
43 Hopwood (1989), 171-187 and Hopwood (1999), 177-206.
44 Riess (2001); Riess (2007), 195-213; Riess (2010), 359-361 and Riess (2011), 693-714.
45 Grünewald (2004), 9-10.
46 MacMullen (1966), 255-268 and Hengel (1989) [1961], 25-34.
47 Grünewald (2004), 10-12.
48 Hengel (1989) [1961].
49 MacMullen (1966), 192-194.
50 For Horsley's works on social banditry in early Roman Palestine, see chapter 1 section 4. Besides Horsley, important scholars active in this tradition were the Marxist East-German historian Rigobert Guenther (working from the notion of class conflict) and the Dutch historian Anton van Hooff (drawing upon the idea of social banditry). From this latter one, see especially van Hooff (1982), 171-194 and van Hooff (1988), 105-124.

Building upon the theories worked out in the Second Phase, the scholars belonging to the Third Phase started to look more at how *latrocinium* was linked to broader phenomena in the Mediterranean world. The shared element in their works is their attentiveness for how *leistai* were part of larger networks, consisting of vertical social relations with elite figures, mostly defined in terms of patron-client relationships. Shaw, the founder of this way of looking at *latrocinium*, noted that Roman imperial laws on this phenomenon often contained a passage on punishing the accomplices of the *leistai*.[51] For example:

> "*It is the duty of a good and serious governor to see that the province he governs remains peaceful and quiet. This is not a difficult task if he scrupulously rids the province of evil men, and assiduously hunts them down. Indeed, he must hunt down sacrilegi, latrones, plagiarii, and fures, and punish each one in accordance with his misdeeds. And he must use force against their collaborators without whom the latro is not able to remain hidden for long.*"[52]

These collaborators (*receptatores*) without whom the *leistes* would not remain hidden for long, were the people who gave them shelter and helped them escape from law enforcement officers. Horsley had also pointed at the fact that no *leistes* could hope to be able to perform his activities for long if he was not backed by people who helped him remain hidden from the law.[53] But where he assumed that these *receptatores* had to be fellow members of the peasant community (horizontal social relations), Shaw saw a second possibility: covert protection delivered by the powerful. He rightly argued that this latter option was the one to prefer, since protection by regional strongmen was much more powerful than support from the local community when dealing with the *leistai*-hunters of the imperial government.[54] Furthermore, Shaw uncovered many sources linking both poor rural dwellers and richer people (landowners or regional strongmen for example) to *latrocinium*-like activities and to each other.[55] In this light, one should not be surprised to find laws that explicitly prohibited town-councillors to trust their

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[51] Shaw (1984), 8-18.
[52] *Digest* 1.18.13 (translation adapted from Shaw (1984), 14).
[53] Horsley (1979), 45.
[54] Shaw (1984), 36.
[55] E.g. *Codex Theodosianus* 1.29.8, on how the state must have a disinterested force of its own in order to deal with the protection given to *latrones* by the powerful of society, and *Codex Theodosianus* 9.29.1, in which it is mentioned that all *receptores* that help *latrones* have to be punished in accordance to their social status, indicating that people of various social backgrounds met in the act of performing *latrocinium*. Shaw (1984), 38.

children to shepherds for upbringing.[56] Shaw showed that respected members of society (absentee landowners, town-councillors, and regional strongmen) were often in cahoots with the 'mercenaries' (peasants, shepherds, rural youth) who performed the *latrocinium*-like activities.[57] In later publications, he formalised this model, by showing how reciprocal patron-client relationships were created between these two groups of men.[58] Furthermore, he also looked at how local lords used their *leistai* to better their position in the empire and how the Roman state relied on such strongmen and their *leistai* to more or less maintain order in the many hard to reach rural parts of the empire.[59]

Hopwood added something extra to the model, by looking at why town-councillors in Rough Cilicia relied on *leistai*. In an article of 1989, he asked the question: "*[h]ow did the city magistrates ensure that the hinterland of the city remained quiet and supplied the necessary surplus to feed the city's population and finance their own competitive spending in providing baths, gymnasia, theatres, temples and all the necessary features of a city which aspired to the manners of the Hellenized way of life?*"[60]. His answer was that these town-councillors relied on *leistai* in order to convince rural dwellers to seek their protection, so they would be encapsulated in a patron-client relationship with the town-councillors that would be beneficial for the latter ones. They used their *leistai* to protect their own rural clients and to attack the clients of their fellow councillors, in order to convince the rural population that they were their best option if these wanted to be safe from plunder and pillage.[61] The town-councillors thus created patron-client relationships with both the *leistai* and the rural dwellers, offering them protection "*in return for the specialisms each was capable of*" while in the meantime mustering riches and keeping in check the disorder *leistai* could cause when not linked to broader society.[62]

Riess constructed a slightly deviant picture concerning the relation between poor people performing *latrocinium*-like activities and their links with upper-class members of society. Basing his argument primarily on sources from third-century Italy, Riess saw a situation in which the absentee landlord was much less involved in *latrocinium*-like activities. According to him, the disinterest of absent landowners drove their cattle-herders to act as bandits. The

[56] *Codex Theodosianus* 9.31.1.
[57] Shaw (1984), 36-41.
[58] Shaw (1993), 176-204.
[59] Shaw (2014), 225-242.
[60] Hopwood (1989), 171.
[61] Hopwood (1989), 180-185.
[62] Hopwood (1989), 184.

only active role the absentee landowner played in his model, was the part of protector of his herders/*leistai*.[63] This model should however not be seen as a universal one. In other regions, where the countryside was not dominated by absentee landlords and where regional strongmen were much more present in rural life, one should choose the models of Shaw and Hopwood over Riess's. These more active regional strongmen were actively involved in *latrocinium*-like activities and used them to construct their position of power in the countryside, as we will see when looking at *latrocinium* in early Roman Palestine.[64] In this region, there were some larger farms owned by absentee landlords, who might have acted just like Riess's Italian landowners, but most Palestinian *leistai* lived in regions were landownership was not concentrated in the hands of only a few, absent, men.[65]

The theoretical cadre underlying this present inquiry will draw upon these theories, especially the ones of Shaw and Hopwood, concerning *latrocinium* as part of patron-client relationships. Foremost, it will look at the idea of *latrocinium* as a mechanism linking (1) members of the peasant community, (2) regional strongmen, and (3) the Roman government. *Latrocinium* will be viewed as part of the phenomenon of patron-client relationships that, according to one recent historian, "*was central to the Roman cultural experience*".[66]

Patronage was indeed a very present feature of most premodern Mediterranean cultures, and both the Roman and Jewish culture were no exception to this situation.[67] Until at least very recently, patron-client relationships played a central role in most societies around the globe.[68] And although many distinct differences can be identified between these various forms of patronage, they all shared some basic features. These relationships were vertically orientated relations between people of unequal status that were entered voluntarily and aimed at the exchange of goods and services to the benefit of both partners involved.[69] This exchange of goods and services could take very different forms. The socially stronger party could for example offer his client legal advice, access to people and services, or financial help, while the client might return the favour by offering his patron help to maintain his position in society or

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[63] Riess (2007), 195-213.
[64] See chapter 4.
[65] Schwartz (1994), 291-297.
[66] Deniaux (2006), 401.
[67] Schwartz (1994), 291-297; Deniaux (2006), 401-420; Woolf (2010), 181-183 and Liu (2013), 5097-5098.
[68] Eisenstadt and Roniger (1984), 43-47. See also the articles in Gellner and Waterbury (1977), discussing patronage in various twentieth-century Mediterranean and Middle East societies.
[69] Eisenstadt and Roniger (1984), 48-49 and Woolf (2010), 181.

by offering to the latter his services as a bodyguard.[70] We will focus, in the context of this present study, our attention on patron-client relationships in the countryside, were these could differ much from the traditional view of a Roman patron opening the doors of his villa in the morning so his clients could come and ask favours. As we will see, patron-client relationships in the rural parts of the Mediterranean world were often linked with survival and maintaining one's position within the bigger networks of power within the empire. Therefore, in order to answer the main and sub-questions formulated at the beginning of this study, we will have to look at how all parties involved in patron-client relationships in the countryside benefitted from such vertical relations and why they engaged in them.

0.4. Calling someone a *leistes*

Now, the time has come to turn our attention to the second problem underlying any inquiry of *latrocinium*, the bias of our sources. In the next few pages, I will discuss the issue that our sources were written by elite urban dwellers hostile towards *leistai* and that calling someone a *leistes* was a useful tactic for everyone who wanted to discredit the one being called a *leistes* or who wanted to give himself a certain identity in relation to suppressing *latrocinium*. While doing so, I will refute Grünewald's idea of Josephus calling his political opponents *leistai* while they were in fact not. In the next subchapter, I will turn to Flavius Josephus, our main source concerning *latrocinium* in early Roman Palestine and to his choice to include *leistai* in his narratives.

The historian of *latrocinium* has to be very careful when reading his sources. Almost all testimonies we possess concerning *latrocinium* were written by elite urban dwellers. And, although these men were, as we have seen, sometimes themselves involved in networks of *latrocinium* as patrons, these urban authors shared the negative stance towards *latrocinium* that was dominant among the inhabitants of major centres of city life in the Mediterranean area.[71] The common idea among the inhabitants of Mediterranean cities was that it was not safe out there in the countryside, as we can read in one of Pliny the Younger's letters:

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[70] Eisenstadt and Roniger (1984), 47.
[71] Shaw (1984), 8-12 and Grünewald (2004), 1-4.

> "*You say that Robustus, a Roman knight of distinction, travelled as far as Ocriculum in the company of my friend Atilius Scaurus, and from that point nothing has been heard of him, and you ask that Scaurus may come, and, if possible, put us on track of the missing man and help in the search. He certainly shall, but I am afraid that he will do little good; for I suspect that Robustus has met something like the same fate which befell some years ago Metilius Crispus, a fellow-townsman of mine. I had obtained for him a military appointment, and on his departure had presented him with 40,000 sesterces towards the purchase of his arms and accoutrements, but I never afterwards heard from him, nor did I ever get news of his death. Whether he was waylaid by his servants, or whether the latter perished with him, no one knows; for certainly neither he nor any of his slaves have ever been seen since. I pray that we may not find that Robustus has met a like fate! (…)*"[72]

Pliny does not seem surprised by Robustus's disappearance and he tells us why: people travelling outside the save boundaries of urbanised places tended to get lost and never heard of anymore. Such texts can be found for every region in the Mediterranean area.[73] Urban dwellers distrusted going to the countryside. And fear of becoming victim of *leistai* lurking around the major routes of travel was one of the most important reasons for this fear.[74]

Such passages are proof of the negative stance present in the urban centres of the Mediterranean towards *leistai* we have encountered when tracing the ancient meaning(s) of *latrocinium*. As a consequence, we may expect our sources, almost all written by urban-based elite citizens, to be sharing this negative stance and to have painted a picture of *latrocinium* that was far gloomier than when we would have had accounts written on *latrocinium* by *leistai* themselves. Those people would probably not have stressed the turmoil *latrocinium* caused among travellers crossing the countryside, but would have focussed more on the benefits robbing passers-by brought to them. A glimpse of how such texts might have looked, can be obtained from those passages in the books of Flavius Josephus were he himself was involved in *latrocinium*-like activities in order to win over Galilee for his faction in the Jewish Civil War.[75] In these passages, he refrains from calling the *leistai* working with him *leistai* and gives

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[72] Pliny the Younger, *Epistulae* 6.25 (Translation taken from http://www.attalus.org/, at 07/04/2018).
[73] Shaw (1984), 10.
[74] On bandits preying around the main axes of travel, see Blumell (2008a), 1-20.
[75] See chapters 3 and 5.

us a glimpse into the internal workings of *latrocinium* in an objective way.[76] Nevertheless, when dealing with his other passages on *latrocinium*, Josephus shares the common distaste for *leistai* and we should thus be careful not to see his negative comments on *latrocinium* as the comments of an objective observer.

Josephus' ambiguous position as an observer of / participant in *latrocinium*-like activities, brings us to another important point concerning the involvement of the authors of our sources in shaping our ideas of what *latrocinium* encompassed, namely that calling someone a *leistes* might be done with other motives in mind. People might do so to discredit the ones they called *leistai* (like Cicero did with Catilina[77]), or to advance their own position in society by depicting themselves as '*leistai*-catchers' (like Herod when dealing with bandits in Upper Galilee and in Trachonitis[78]). Often, people were not labelled *leistai* because they were *leistai*, but because calling them that way was beneficial for the one identifying them as *leistai*.[79] This does not mean that the people being called *leistai* were not *leistai*, but it urges us again to be cautious when dealing with our subject: not all people called *leistai* were necessarily real *leistai*.[80]

Related to this idea is Thomas Grünewald's idea that the *leistai* mentioned in Josephus' works were no real-life *leistai*, but literary constructs; political opponents of our Jewish historian being labelled that way by Josephus to defame them. At the end of his chapter on *latrocinium* in early Roman Palestine, he summarizes this idea in three interrelated conclusions:

> 1. "*Josephus deployed the term 'bandit' entirely pejoratively and described the rival politicians to whom he applied it using the same conventional clichés as used by Roman writers.*"[81]
> 2. "*The Jewish leistai were never in any sense social bandits*"[82]

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[76] Cf. Josephus on the 'adventurers (not *leistai*!) from Dabaritta: Flavius Josephus, *Bellum Iudaicum* 2.595-2.598 and *Vita* 126-129. See also chapter 2 for an analysis of this specific passage.
[77] Cf. supra.
[78] See chapter 4.
[79] On this topic, see especially Grünewald (2004) [1999].
[80] Grünewald (2004), 2-5.
[81] Grünewald (2004), 109.
[82] Grünewald (2004), 109.

> 3. "*The many 'bandits' in the works of Flavius Josephus have been revealed as rivals for political power in Judaea. (...) the latro is a literary stock theme, not a social type*".[83]

While I agree more or less with Grünewald's first two conclusions, I disagree with his view seeing the Palestinian *leistai* as solely literary constructs, fabricated by Josephus for the sole purpose of discrediting his political opponents. Indeed, Josephus only used the term *leistes* when he referred to people he wanted to discredit, but, as we just noted, this does not exclude the possibility that these people were real *leistai*, involved in actual *latrocinium*-like activities. Keeping the models of Shaw and Hopwood in mind, one should not be surprised to see *leistai* involved in political struggles. Identifying some of these men as opponents of our main source, does not automatically exclude the possibility of them being *leistai*. Grünewald, who in his chapter is actually more concerned with deconstructing Horsley's model of social banditry, fails to make this point. The *leistai* in Josephus' books could have been both real *leistai* and political opponents of Josephus.

0.5. Flavius Josephus and his *leistai*

All this talking about Flavius Josephus, brings us to our last theoretical point before we can start investigating the subject at hand: Flavius Josephus and his choice to include *leistai* in his narratives. When an author tells his audience a story of which the time it encompasses is noticeably longer than the timeframe in which he is allowed to tell the story, then this author needs to make a selection of which details to include in his narrative and which to leave out. These decisions concerning the selection of material to include in one's narrative are in no way unimportant for our understanding and evaluation of neither the narrative as a whole, nor the included passages.[84] For example, the inclusion of the story of the African rebel leader Tacfarinas in Tacitus' *Annales*, is in no way coincidental.[85] Tacitus' account of what allegedly happened in North Africa in the first years of Tiberius' reign is virtually the only surviving account of Tacfarinas' uprising.[86] The only reason why we know about this often-debated episode in the history of Roman Africa, is Tacitus' interest in Tiberius and in the relationship

[83] Grünewald (2004), 109.
[84] On selection, see Day (2008), 159-162.
[85] Tacitus, *Annales* 2.52, 3.20-21, 32, 73-74, 4.13 and 23-26.
[86] Vanacker (2008), 78.

between this emperor and the Senate.[87] Tacitus thought this episode important for his narrative of Tiberius' reign and therefore included it in his *Historiae*; other historians, like Suetonius for example, thought other elements more important when telling the history of Rome and therefore excluded Tacfarinas out of their narratives. Likewise, Cassius Dio only dedicated a few lines of his *Romaike Historia* to Bulla Felix, because he wanted to use the character of the imaginative and socially feeling bandit leader to mirror Septimius Severus and to show his readers how a real emperor had to behave.[88]

Ancient historians normally did not pay much attention to ordinary people and felt it unfitting to write about vulgar and mundane phenomena like *latrocinium*. We can agree with Grünewald that "*Roman historical and biographical writings refer to banditry and other criminal activities only when significant disturbances of public order simply cannot be ignored or when an author, in referring to latrones, is following his own particular agenda.*"[89] According to Grünewald, "*the latter is more common*."[90] Josephus is no exception to this rule. Whenever he writes about *leistai* or about *latrocinium*-like activities, he does so with a reason. This can be demonstrated by looking at why Josephus wrote *Bellum Iudaicum* and at which role *leistai* played in his account of the pre-history of the Jewish Civil War.

Flavius Josephus was born in Jerusalem in 37 or 38 as Joseef ben Matitjahoe. Just like his father before him, he became a priest and as such, was involved in politics in the years preceding the outbreak of the Jewish Civil War.[91] When the hostilities started and Rome lost Jerusalem to the Jewish insurgents, Josephus was send to Galilee. His various accounts of why he was send there differ, but in chapter 5, I will argue that this was to win over Galilee for his faction within the Jewish Civil War. In Galilee, Josephus had to deal with the regional strongman John of Gischala, with a population that was most of the time not as happy with his attempt to take over power in Galilee as he wanted his reader to believe, and with the advancing Romans led by Vespasian. After the Battle of Jotapata (67), Josephus was captured by the Romans and he spent the remainder of the Roman campaign against the Jewish insurgents as a prisoner-of-war. After the capture of Jerusalem by Titus, Josephus moved with the Romans to Rome and became a confidant of the new imperial family, the Flavii. In Rome, he wrote at

[87] Devillers (1991), 206-207 and Grünewald (2004), 49.
[88] Cassius Dio, *Romaike Historia* 77.10.
[89] Grünewald (2004), 5.
[90] Grünewald (2004), 5.
[91] Smelik (2011), 100. Josephus himself mentions a mission to Nero in Rome in 64.

least four books, all related to the Jewish people. Three of them dealt with Jewish history and both *Bellum Iudaicum* and *Vita* elaborated upon his own exploits during the Jewish Civil War.[92] But why did he write histories of life in early Roman Palestine (*Bellum* Iudaicum, Antiquitates *Iudaicae* and *Vita*)?

Contrary to what one theologian recently claimed in a public lecture[93], no Josephus scholar today believes anymore that our Jewish writer held any anti-Jewish feelings. On the contrary, the common view among scholars today is that Josephus wrote his *Bellum Iudaicum* in order to absolve the Jewish people as a whole, the Jerusalem elite, and himself from any blame in causing the First Jewish Revolt.[94] Instead, he blamed the outbreak of this conflict on a whole range of troublemakers, ranging from false prophets and magicians active in Israel/Palestine in these days, over *leistai* to the Roman procurators active in Israel/Palestine in the years preceding the outbreak of the revolt.[95] The *leistai*, or at least the people Josephus called *leistai*, thus played an important part in his account of what happened in early Roman Palestine. Nevertheless, Josephus did not only include *leistai* and *latrocinium*-like activity in his works in order to show how they were to blame for the downfall of the Jewish nation. He indeed had very different reasons for including the numerous passages on *latrocinium* in early Roman Palestine in his books. If we want to understand these passages, and ultimately answer our research questions, we have to uncover for each of these passages why it was included and how this influences the information in the passage under discussion.

When dealing with Flavius Josephus and his passages on *latrocinium* in early Roman Palestine, we will thus have to be careful. We should keep in mind that none of his passages were written without a clear intention. Furthermore, due to both the negative stance concerning *latrocinium* in early Roman Palestine and Josephus' own involvement in many of the events he describes, we will have to be suspicious of everything he writes. He might write in an overtly negative way about someone he called a *leistes* in one passage, while he might be talking much more positively about *latrocinium* in another passage, without even calling the people involved *leistai*.

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[92] On Josephus' life story, see his own Vita. For a modern bibliography of Josephus, see Cohen (1979); Rajak (1983) and Bilde (1988).
[93] Geybels, H., Heeft Jezus echt bestaan?; Lecture Universiteit van Vlaanderen 30/03/2018 (consulted at https://www.vrt.be/vrtnu at 11/04/2018).
[94] Rajak (1983), 78-83; Bilde (1988), 77-78; Goodman (1989), 20-21; Mason (1991), 64-67; McLaren (1998), 55-56; Smith (1999), 502-503 and Brighton (2009), 29-33.
[95] Mason (2016b), 17.

0.6. Revealing the Palestinian *leistes*

To conclude, in this study, I ask the question who the Palestinian *leistes* was. My provisional definition of *latrocinium* sees the *leistes* as either the mandator or practitioner of bandit-like activity in the countryside, who is part of a vertical relation by which the practitioner performs acts of banditry for the mandator in order to survive, while the mandator protects the practitioner in exchange for the executioner performing acts of banditism that work towards the mandator maintaining or even enhancing his social and political position in the countryside and in the wider network of the Roman empire. In order to answer this main question, I will ask four interrelated sub-questions, set forth at the beginning of this introduction. These questions will be dealt with in chapters 2 until 5.

But first, we should take a look at the models that have been guiding scholarship concerning *latrocinium* in early Roman Palestine. Therefore, chapter 1 will deal with a critical overview of both the Zealot model and the social banditry model. The reason for this is twofold: first, it will introduce the reader to the models, ideas and discussions that have shaped scholarship concerning this particular topic for the last 150 years, and still heavily influences scholars dealing with different facets of early Roman Palestinian society; second, it will also prepare the scene for our own analysis of Josephus' passages, since no scholar of *latrocinium* in early Roman Palestine can refrain from entering into a (constructive) discussion about the ideas set forth by Hengel and Horsley concerning these passages.

In chapter 2, we will look at why people engaged in *latrocinium*-like activities. First, I will show how *latrocinium*-like activities allowed rural dwellers to supplement their meagre incomes. Then, I will reflect upon the motives of regional strongmen for engaging in *latrocinium*-like activities and show that they needed the spoils from these activities to secure their position as regional rulers within the empire.

In chapter 3, I will look at how these local lords build up their power position in the countryside and how *latrocinium* fitted into this picture. I will also look at their relationship with the central government in doing so and contemplate upon their important role as both regional strongmen and imperial middleman in early Roman Palestinian society.

In the fourth chapter, I will look at how *latrocinium* could be used politically by regional rulers like Herod and by the Roman central government in order to establish, maintain, and enhance their control over early Roman Palestine. First, I will look at how Herod used his

subjugation of *leistai* in Galilee and Trachonitis to highlight his capacity to rule Roman Palestine. Second, I will pay attention at the relationship between the Roman procurators and the *archileistai* and to the procurators cohooting with these latter men to maintain some sort of order in early Roman Palestine.

In the fifth and last chapter, I will turn my attention to the role of the *leistai* in the 'First Jewish Revolt'. By analysing the role of these men in this famous episode in Jewish history, I will be able to show that they played a major role in the course of the war, although not the role usually assigned to them by modern historians. In fact, we will see that the 'First Jewish Revolt' was actually a multi-polar network-centric civil war in which various groups of *leistai* fought each other for power and survival after the breakdown of Roman rule in the second part of 66AD. The Roman campaigns in the years following only added to the completeness of turmoil.

1. Major models on the Palestinian leistes

In his recent *Judea under Roman domination*, Nadav Sharon entitled his third appendix 'The Λησταί: bandits or rebels?'.[96] This title aptly summarizes the question that dominates research conducted onto whom the Palestinian *leistes* was from circa 1850 until today. In this chapter I will allow the reader a critical view upon the two major models[97] that have been in the centre of this debate: the Zealot model (Sharon's rebels) and the social banditry model (Sharon's bandits). By doing so, I will get the reader acquainted with these models and with the questions they have raised and the discussions they have opened up for further inquiries into what *latrocinium* in early Roman Palestine entangled. Taking a critical look at these models will thus not only make clear why further research beyond these models is necessary, it will also provide us with fertile academic ground to build our own inquiry upon.

1.1. *Jewish resistance fighters*

The pages of Josephus' books on the period from Pompey's siege of Jerusalem until Flavius Silva's of Masada are laced with what Morton Smith calls 'Troublemakers'.[98] *Leistai*, *sicarii*, zealots, false prophets, … all play a considerable role in his depiction of early Roman Palestine. At least since the middle of the nineteenth century, scholars have developed the idea that these first three groups of troublemakers[99] actually belonged to one overarching movement, called 'the Zealots'. According to these scholars, the Zealot movement came into existence in 6AD, after an uprising against a Roman census led by Judas the Galilean and Saddok the Pharisee.[100] This movement apparently survived the particular case of the rising against the census and was, according to the Zealot model, transformed into an underground movement, aiming at the removal of Roman dominance in Palestine and the restoration of traditional Jewish religious practices. Furthermore, the movement allegedly grew in numbers due to the influx of impoverished rural dwellers who lost their land due to increasing debts.[101]

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[96] Sharon (2017), 361-377.

[97] Both models were constructed by scholars working within the Second Phase of research concerning *latrocinium* in the ancient world. See chapter 0.3.

[98] Smith (1999), 501-568.

[99] Hengel notices that before his time there were scholars who only linked the *leistai* and the zealots and saw the *sicarii* as a different kind of troublemakers. Hengel (1989) [1961], 48.

[100] Hengel (1989), 330-337. See Flavius Josephus, *Antiquitates Iudaicae* 18.4-10 for the passage on which this interpretation mainly rests.

[101] Hengel (1989), 335. According to Josephus, this influx of impoverished rural dwellers was the origin of "*Josephus' criticism that the main characteristic of the Zealot movement was its greed*" (Hengel (1989), 335).

In the years following, the theory continues, the Zealot movement, led by Judas's sons, used guerrilla tactics to undermine the Roman authorities. Steadily on they also gathered more power and confidence and in the 40s, they tried for the first time to make use of a popular uprising to organise a revolt against the Romans.[102] In 66AD they finally succeeded in turning two minor conflicts between the Jewish people and the Roman procurator into a nationwide revolt and seemed to realize their decade-long aim of ridding Palestine of the Romans.[103] However, according to Hengel, this highpoint of Zealotism also set in the downfall of the movement. Due to internal strive within Jerusalem, their leader, Menahem, was killed, and his most loyal adherents, the *sicarii*, fled to Masada. Lacking leadership and torn by internal frictions, the Zealot movement split and ended up in an internal war for power over Jerusalem.[104] Ultimately, this culminated into the recapture and destruction of Jerusalem by Titus and the defeat of the united Jewish resistance movement. This theory, that became canonised with Emil Schürer's acceptance of it in his 'Geschichte des jüdischen Volkes' and achieved its most elaborate version in 1961 with the publication of Martin Hengel's 'Die Zeloten'[105], saw the Zealots thus as a rebel movement mainly driven by political and religious motives that fought against Roman occupation and malpractice of the Jewish religious traditions.[106]

Hengel and his predecessors argued that the three major names (*leistai*, sicarii and zealots[107]) used by Josephus to indicate the troublemakers, all referred to the same movement, but that because of his aversion to the Zealots, he tried to avoid using the movement's real name and discredited it by calling its members *leistai* and *sicarii*. Hengel argues that Josephus used these last two names from a strong Roman state of mind in order to label the Zealot movement as a bunch of lawless criminals that illegally fought against Roman rule.[108] The Romans indeed made a distinction between people who rightfully waged war with the Roman state (*hostes*) and people who did this illegally (often called *leistai*).[109] The negative

[102] Hengel (1989), 343-347. The popular uprising mentioned is the uprising after the killing of one or more Galileans by the Samaritans (Flavius Josephus, *Bellum Iudaicum* 2.232-249 and Flavius Josephus, *Antiquitates Iudaicae* 20.118-136).
[103] Hengel (1989), 355-358.
[104] Hengel (1989), 365-366.
[105] Smith (1971), 1 and Donaldson (1990), 20.
[106] For an overview of the scholars that wrote about the Zealot model before Hengel, see Smith (1971), 1-10.
[107] Hengel also links the names 'Galileans' and 'Barjone' to the Zealot movement. Hengel (1989), 53-59.
[108] Hengel (1989), 41-49.
[109] Shaw (1984), 6-7.

connotation of the terms *leistes* and *sicarius* (literary dagger-men, but often used for violent criminals who committed or intended to commit murder[110]) together with the facts that it is unlikely that these people identified themselves as such and the absence of the use of the word 'zealot' in Josephus' story up to the start of the First Jewish Revolt, inspired Hengel and his predecessors to link these three groups.[111] According to Hengel, up to 66AD Josephus had no problem calling the Zealots by their real name. This, however, became harder once the movement started to split into various subgroups after the murder of its leader Menahem. Josephus now had to differentiate between these subgroups and, probably running out of inspiration, he was forced to call the most zealous group effectively 'the zealots'. A comparable evolution occurred concerning the use of the other two names. Until the outbreak of the First Revolt, Hengel claims, Josephus uses both names indiscriminately, but from that moment on, he uses them for two distinct subgroups, reserving the use of *sicarii* for Menahem's elite troops, who after his murder retired to Masada, and calling the rebels in Jerusalem often *leistai* in order to defame them even further.[112] The divergence in terminology used by Josephus does thus not indicate the existence of a divergent field of troublemakers according to the adherents of the Zealot model, but reflects Josephus' difficulty in trying to defame these people. Hengel indeed argues that the Zealots were quite popular among the people of Roman Palestine. Josephus knew this and therefore, the theory goes, tried to discredit their alleged zeal for political and religious freedom and argued that the thing they were after was not a Jewish state shaped according to Yahweh's laws, but personal gain and power.[113] It was thus Josephus who complicated things by his aversion to the Zealots.

Hengel at the same time admits that not all *leistai* in Roman Palestine were members of the Zealot movement. Some of them were 'real' *leistai*, being bandits in his interpretation of the word; others, especially those fighting against Herod in the years before the foundation of the Zealot movement, he identified as rebels. The alleged nature of this second category actually was used by Hengel to strengthen his argument that the word *leistes* indeed could be used to refer to political adversaries.[114]

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[110] Hengel (1989), 46.
[111] Hengel (1989), 41-49.
[112] Hengel (1989), 62-66.
[113] Hengel (1989), 44 and 335.
[114] Hengel (1989), 44 and 313-317.

1.2. The downfall of the Zealot model

Today, few scholars agree with Hengel on the existence of a nationwide Jewish resistance movement that carefully awaited its moment and planned ahead the First Jewish Revolt. This idea, which guided Hengel's research, has generated a lot of criticism.[115] First, scholars have showed that there is no proof for the existence of the Zealot movement before 67AD. The mentioning of people being called zealots in the years before the Jewish Revolt[116] does not indicate the existence of the Zealot movement at that time, but should be looked at from the viewpoint that 'zeal'[117] was some sort of religious ideal that superseded the particular case of the Zealots in first-century Palestine. Scholars indeed have proven that the appeal for zeal was a common feature throughout Jewish history since the time of the Maccabees and that individual people could call themselves 'zealots' if they wanted to emphasize their zeal.[118]

Second, there is no evidence whatsoever to link the Zealots fighting in the First Jewish Revolt to Judas the Galilean, especially once one accepts that the *sicarii* and the Zealots are not the same people. The linkage of both groups is in large part based on Josephus' use of the word 'zealots' for the bodyguards that were accompanying Menahem at the time when he was attacked and subsequently killed.[119] Both Zeitlin and Smith, however, convincingly showed that Josephus was here using the Greek *zeilotas* not to refer to members of the Zealot movement, but used it to identify dedicated followers of Menahem.[120] Furthermore, in *Bellum Iudaicum* 2.253-274, a passage in which Josephus revisits the rebel groups defeated in the First Jewish Revolt[121], there is made a clear distinction between the *sicarii*, who are mentioned first in this exposé, and the Zealots, who are mentioned last. Not only does Josephus thus clearly differentiate between these two groups (mentioning them apart), Smith also hints to the fact that the order in which the groups are mentioned seems to be chronological, placing the Zealot

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[115] Most influential were the critiques by Zeitlin (1962), 395-398 and Smith (1971), 1-19.

[116] The mentioning of people as zealots in the decades between 6AD and 66AD does not occur in Josephus' books. An example of a first-century Jew being called a zealot but not being a member of the Zealot movement is Simon the Zealot, one of Jesus Christ's disciples. For a discussion of the three cases in which Josephus calls people zealots before the actual creation of the Zealot movement in 67AD, see Zeitlin (1962), 397-398 and Smith (1971), 6. They conclude that there is few to no reason to identify these men as actual Zealots.

[117] Donaldson defines 'zeal' as "*the willingness to use or suffer violence for the sake of the Torah.*" Donaldson (1990), 23.

[118] Smith (1971), 2-4 and Donaldson (1990), 23.

[119] Flavius Josephus, *Bellum Iudaicum* 2.444.

[120] Zeitlin (1962), 398 and Smith (1971), 7-8. Smith points out that the Latin translation of Josephus by Hegesippus also understood this passage in the same way.

[121] Appropriately called 'the Hall of Infamy' by Brighton (Brighton (2009), 51).

movement's origin probably somewhere around 66AD.[122] This corresponds with Josephus' own exposé on the origin of the Zealot movement.[123]

Third, there have been placed question marks to the idea that there ever existed a unified, nationwide Jewish resistance movement in the first century AD. Josephus' statement, that the movement started by Judas the Galilean and Saddok planted the seed for all future evil in Palestine[124] should not be seen as an indication that both men started a movement that was responsible for all troubles that awaited first-century Palestine. We can agree with Donaldson that this statement is probably nothing more than Josephus designating Judas and Saddok as the first of a series of troublemakers whom with their actions against the established order worked, unwittingly, towards the downfall of the Jewish people. Donaldson rightfully points to the fact that almost nowhere else in his narrative, Josephus shows any link between Judas and Saddok and the later troublemakers he informs us about.[125] This is very curious in the case of the actual existence of a unified resistance movement. Flavius Josephus, writing from a desire to clear the Jewish people as a whole from the blame of causing the First Jewish Revolt and blaming it on a few rebellious bandits[126], would not have hesitated to mention such a movement. However, the mentioning of it is absent from Josephus' stories.[127]

Smith also rightfully points out that the mentioning of the sons of Judas as troublemakers, the only cases in which a link with the alleged 'origin of all evil' is stated, does not indicate the existence of a nationwide movement. It is not because Judas started a movement that succeeded in surviving for generations, that this movement had to be of a national nature.[128] Further, he makes an excellent point in questioning even the possibility of such a movement existing in first-century Palestine. Not only would it have been terribly difficult to deal with all the different factions within such a movement (Hengel admitted that some of the Zealots were after politico-religious change, while others joined mainly for

[122] Smith (1971), 11. It is interesting to remark that Hengel, believing that the Zealot movement was formed at 6AD and the *sicarii* being a subgroup of it established at a later date, uses this passage to point at the fact that, in his interpretation, Josephus goes against the chronological order and therefore emphasizes the Zealots playing a special role in the First Jewish Revolt (Hengel (1989), 65).
[123] Flavius Josephus, *Bellum Iudaicum* 4.129-161.
[124] Flavius Josephus, *Antiquitates Iudaicae* 18.9.
[125] Donaldson (1990), 24-25. The notable exceptions being Judas's sons Simon and Jakob, who are not even mentioned in *Bellum Iudaicum* and only in passing in *Antiquitates Iudaicae*, and Menahem.
[126] See Introduction.
[127] Smith (1971), 12 rightly states that Josephus would be all too happy to blame a movement like Hengel's Zealots for the troubles that struck first-century Palestine.
[128] Smith (1971), 12.

economic reasons[129]), the communication channels to effectively lead a national organisation were obviously lacking.[130]

However, for our inquiry, it is even more important to analyse why Hengel and his predecessors constructed this model than to show them wrong. First, Hengel argued for an interesting, but to my analysis incorrect, reading of the concept of *latrocinium*. Just like Grünewald some four decades later, he rightly stated that there should be made a distinction between 'real' *leistai* and people being called *leistai*. Both categories do indeed not always coincide.[131] Hengel, however, argued that 'real' *leistai* were socially motivated bandits without clear political motives. Approaching the Palestinian *leistes* from such a limited understanding of *latrocinium*, he inferred that all cases of people being called *leistai*, but acting at the same time on political motives, were thus not real *leistai*, but only labelled that way by their enemies.[132] Therefore Hengel concluded that the concept of *latrocinium* was not useful for his analysis of the troublemakers in early Roman Palestine.[133] Instead, the scholars designing the Zealot model opted to look at these men from a viewpoint that was more familiar to their own minds. They identified the troublemakers with politico-religious freedom fighters, inspired both by the *Zeitgeist* of nationalism that was omnipresent in historical scholarship in the nineteenth and early twentieth century[134], and by a too docile following of Josephus' apologetic narrative.

Indeed, the Zealot movement scholars let themselves be misled by Josephus' ideological interpretation of the history he was writing. In trying to clear the Jewish people as a whole, the Jerusalem priestly elite, and, not to the least, himself from the blame of having willingly revolted against the Roman empire, Josephus used the people he called *leistai* as scapegoats. In presenting them as opponents to the righteous Roman rule, Josephus wanted to show that these people were responsible for the downfall of the Jewish nation.[135] This narrative invited Hengel and his predecessors to draw links between the various troublemakers

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[129] Hengel (1989), 335.
[130] Smith (1971), 13-14.
[131] For a thorough, but to my interpretation of *latrocinium*, too extreme analysis of the use of the word *leistes* for people who were not, see Grünewald (2004).
[132] It is interesting that Grünewald comes to the same conclusions, ridding the 'real' *leistes* from all political connotations. See the introduction for my arguments why Grünewald's interpretation of *latrocinium* is too rigid and why we should integrate the political aspects of *latrocinium* in our analysis of this phenomenon.
[133] Hengel (1989), 25-34.
[134] Iggers (1990), 170-179; Iggers (1995), 129-152 and Boldt (2014), 457-474.
[135] Rajak (1983), 78-83; Bilde (1988), 77-78; Goodman (1989), 20-21; Mason (1991), 64-67; McLaren (1998), 55-56 and Brighton (2009), 29-33.

mentioned in Josephus and to underpin, although when closer looked upon very marginally, their idea that there existed a nationwide resistance movement in early Roman Palestine. After all, Josephus himself loosely connected these people by mentioning them in his analysis of how the First Jewish Revolt came into existence and by labelling them all as troublemakers. Although he himself actually never made the claim that these people indeed should be linked as members of one movement, Josephus would have been delighted with such an interpretation of the history he had narrated.

The Zealot model thus approached the Palestinian *leistes* from a grand idea that was alien to the historical context of early Roman Palestine. Their choice to use such an approach was influenced by the fact that they interpreted their sources wrongly and that they stumbled upon the difficulties surrounding the nature of *latrocinium*. In the next subchapters, we will see that Richard Horsley was confronted with the same cruxes when he developed his social banditry interpretation of the Palestinian *leistes*, and that in reaction to these difficulties, he too tried to explain *latrocinium* in early Roman Palestine by using a (nevertheless very different) grand idea that was alien to the historical context of early Roman Palestine.

1.3. The peasant's proto-political struggle against the elite

In 1979, Richard Horsley's 'Josephus and the bandits'[136] appeared; the first of a series of articles and books that would change the study of *latrocinium* in early Roman Palestine. In these publications, Horsley renounced the idea that Palestinian *leistai* were politico-religious rebels adhering to the larger Zealot movement, but instead argued that these people were social bandits, who, at least initially, had no ambitions to change the political outlook of Roman Palestine.[137] This new theory quickly replaced the Zealot model as the dominant model for identifying the Palestinian *leistes* and explaining his place in early Roman Palestine.[138] It became such a popular theory, that many scholars working on different but adjacent elements

[136] Horsley (1979a), 37-63.

[137] Horsley (1979a), 37-63, Horsley (1979b), 435-458, Horsley (1981), 409-432, Hanson and Horsley (1999) [1985], Horsley (1985), 334-348, Horsley (1986), 159-192 and Horsley (1987).

[138] The adherents of the Zealot model have however not completely vanished after the introduction of the social banditry model; for example, Isaac (1984), 171-203 and Isaac (1992), 575-580. It is remarkable and a bit baffling that Isaac was able to write an analysis of *latrocinium* in Palestine and Arabia without referring at least once to Horsley; and this in the 1980s, the highpoint of the social banditry model.

of life in early Roman Palestine started to include the model of social banditry to one extend or another into their own interpretations.[139]

Horsley borrows the character of the social bandit from Eric Hobsbawm, a British Marxist historian who developed this character based on the idea that popular early modern songs, poems, … on bandits contained some truth about the outlaws mentioned in them.[140] According to Hobsbawm, social bandits were a particular kind of robbers who distinguished themselves from ordinary bandits by the fact that "*they [were] peasant outlaws whom the lord and state regard[ed] as criminals, but who remain[ed] within peasant society, and [were] considered by their people as heroes, as champions, avengers, fighters for justice, perhaps even leaders of liberation, and in any case as men to be admired, helped and supported*."[141] Social banditry was a phenomenon that was specific to peasant society. Hobsbawm states that it flourished in rural societies where the peasants felt that they were exploited by their lords, the state, or foreign oppressors and where the authorities were administratively inefficient.[142]

Social bandits were social in Hobsbawm's analysis, because they remained part of their own peasant communities and because their actions were at least in part aimed at helping the members of these communities.[143] Hobsbawm indeed explicitly links social bandits to the popular figure of Robin Hood. According to him, these robbers tried to right wrongs that struck the peasants and redistributed (parts) of their booty to their fellow community members.[144] Hobsbawm of course knew this was an ideal-type (he himself doubted whether there was ever a social bandit that neatly fitted this role[145]), but he stressed the fact that, according to him, there were effectively social bandits that acted similar to Robin Hood. For these robbers, it would have been completely unthinkable to rob the members of their peasant community (or perhaps even any other peasant).[146] Their targets were local lords, unjust rulers, and foreign oppressors who violated the traditional moral beliefs of the peasant and in that way endangered them in their survival.

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[139] Blumell (2008b), 36 cites some major works on Palestinian history in the first centuries BC and AD that have in one way or another embraced Horsley's idea of social banditism. Most notably Goodman (1989), 51-75, Richardson (1996), 250-252 and Hanson and Oakman (2008), 80-85.
[140] Driessen (1983), 96 and Hobsbawm (1974), 143-144.
[141] Hobsbawm (1971), 13.
[142] Hobsbawm (1971), 16 and Hanson and Oakman (2008), 82.
[143] Hobsbawm (1974), 143.
[144] Hobsbawm (1971), 34-36.
[145] Hobsbawm (1971), 38.
[146] Hobsbawm (1971), 38-39.

The social bandit was thus a proto-political activist; he did not pursue any political agenda in favour of societal change. On the contrary, Hobsbawm stresses the fact that the social bandit, like the peasant community he was part of as a whole, should be regarded as a conservative power; someone who defends respect for the traditional order.[147] He acted upon the belief that the authorities treated the peasants unjust, evaluated against some ancient (often idealised) moral idea of how authorities should treat peasants. As Hobsbawm puts it, "*[t)hey protest not against the fact that peasants are poor and oppressed, but against the fact that they are sometimes excessively poor and oppressed.*"[148] The injustice, according to the social bandits, thus was that the authorities did not respect the moral economy[149] of peasant society, allowing peasants who were confronted with a setback to become so poor that they could not reach subsistence level. The uneven divide of wealth in society was not the problem for the social bandit, it was the fact that in times of crisis, the authorities betrayed the traditional moral code of rural life by not helping peasants who could not make ends meet anymore. Therefore, it may be stated that social banditry was a form of "*self-help*"[150], practised by people who were, although viewed as outlaws by the authorities, firmly embedded insiders of peasant community.

1.4. The Palestinian *leistes* as an ancient Robin Hood

According to Hobsbawm, "*social banditry [...] is one of the most universal social phenomena known to history, and one of the most amazingly uniform*."[151] It was therefore not difficult for Horsley to believe that he could use the social banditry model for his study of banditism (=*latrocinium*) in early Roman Palestine. Horsley follows Hobsbawm's lead very tightly. In his 1979-article, he identifies four major features of social banditry in Hobsbawm's

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[147] Hobsbawm (1971), 19-21.
[148] Hobsbawm (1959), 24.
[149] Moral economy is a marxist concept first phrased by E.P. Thompson in a 1971 article on the moral economy of the eighteenth-century English working class (Thompson (1971), 76-136). A moral economy is an economy based on moral claims concerning when it is just and unjust for people to sell their goods (mainly food) at free market prices. Commonly speaking, labourers and peasants find it immoral for people (often capitalists or large landowners) belonging to their community to sell at free market prices when the subsistence of some of the members of this community is still in danger. For an introduction to the moral economy of the peasant, the best place to start is still Scott (1978). For the usefulness of the concept of moral economy in the context of Ancient History (mainly focussed on urban society though), see Erdkamp (2002), 93-115.
[150] Cf. Blumell (2008b), 44.
[151] Hobsbawm (1971), 14.

work, which he finds in Josephus' writings on early Roman Palestine. These four characteristics are:

1. *"Social banditry emerges from circumstances and incidents in which what is dictated by the state or the local rulers is felt to be unjust or intolerable."*[152]
2. *"Social bandits enjoy the support of their village or of the people in general."*[153]
3. *"The brigand rights wrongs."*[154]
4. *"Social bandits, ..., share the basic values and religion of the peasant society from which they arise ..."*[155]

(1) Concerning the circumstances that lie at the origin of social banditry in early Roman Palestine, Horsley identifies (a) the heavy taxation of the Palestinian population, both due to Jewish religious obligations and to the taxes imposed by the Romans, and (b) the periodic droughts and two major periods of famine (25-24BC and late 40s) that plagued Roman Palestine at that time. These socio-economic and environmental challenges burdened the Palestinian peasants with heavy debts, that in the end not seldom forced them to sell their land. Under these circumstances, Horsley implies, it may not surprise us that peasants felt unjustly treated by the state and the local rulers, who were the ones profiting most from the debts of the peasants and the forced sale of their lands.[156] (2) The people clearly supported the social bandits according to Horsley. They sheltered them, asked them for help and even protested their murder by the official authorities.[157] (3) Although he admits that there are no actual examples in Josephus' work that the social bandits indeed shared their booty with the Palestinian people, Horsley suggests that there is "*clear evidence*" of bandits stealing from the wealthy and helping the people seek justice.[158] However, this clear evidence consists of one passage on stealing from the wealthy and one passage on helping the people seek justice, and both should be, as we will see, interpreted differently.[159] (4) Finally, Horsley tells us, based on his feeling when

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[152] Horsley (1979), 43.
[153] Horsley (1979), 45.
[154] Horsley (1979), 45.
[155] Horsley (1979), 46.
[156] Hanson and Horsley (1999), 52-63 and Horsley (1979), 59-60.
[157] Horsley (1979), 60.
[158] Horsley (1979), 60.
[159] The passage on stealing is the 'Attack on Stephanus' (Flavius Josephus, *Antiquitates Iudaicae* 20.113-117 and *Bellum Iudaicum* 2.228-231); the passage on helping the people seek justice is the 'Raid on Samaria by Eleazar

reading Josephus, that "*the brigands appear to have shared the values and religion of the Jewish peasant society.*"[160] He thus concludes that *latrocinium* in early Roman Palestine should be identified as a clear example of social banditism and, in reaction to the Zealot model, that "*"brigands" were actually brigands*" and not politico-religious freedom fighters.[161]

However, concerning one element, Horsley deviates, although slightly, from Hobsbawm's model: he believes that ultimately, social banditry in early Roman Palestine evolved into a peasant revolt, being the First Jewish Revolt.[162] Hobsbawm did not exclude the possibility that social banditry could evolve into a genuine peasant revolt (he himself briefly sketched two situations in which this could happen[163]), but he argued that this was not the normal outcome of social banditry.[164] After all, Hobsbawm identified social banditry as a proto-political form of peasant self-help, while a peasant revolt has clear political dimensions. Horsley also admits that such an evolvement is rare, but argued that "*the Jewish revolt against the Roman domination may be the most vivid and best-attested example from antiquity of a major peasant revolt preceded and partly led by brigands"*[165] He remains quite silent on whether and how the brigands contributed to the outbreak of the revolt[166], but he develops a clear theory on how they came to play an important role in the revolt. According to Horsley, the famine of the late 40s, combined with the usual high taxation, had led to a spectacular increase of banditry.[167] These bandits became from the start involved in the First Jewish Revolt, both in Jerusalem, where some of their leaders rose to high positions, and in the countryside,

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ben Dinaeus and Alexander' (Flavius Josephus, *Antiquitates Iudaicae* 20.118-136 and *Bellum Iudaicum* 2.232-249).

160 Horsley (1979), 60.

161 Horsley (1979), 53.

162 Horsley (1981), 409-432 and Hanson and Horsley (1999), 77-85.

163 These two situations being: (1) when social banditry becomes the core around which a greater revolt in favour of the traditional order develops; and (2) when banditry goes together with a belief in a post-apocalyptic better world in which the traditional moral order will be restored.

164 Hobsbawm (1971), 20-22.

165 Hanson and Horsley (1999), 77.

166 He points at the "*epidemic proportions"* banditry had risen to in the years before the revolt as a "*major factor leading to the outbreak and continuation of widespread peasant revolt*" and to the role brigands according to him played in the initial fights at the beginning of the revolt, but he fails to say precisely how this led to revolt in the first place. Note also that, a little further in his argumentation, Horsley states that "*[t]he actual brigand groups at the outbreak of the revolt were still based in the countryside, which became the scene of their anti-Roman activities*"; an element that contradicts his previous claim that the social bandits were an important factor in the outbreak of the revolt, which started in the urban centres of Caesarea Maritima and Jerusalem. Citations from Hanson and Horsley (1999), 77-78 and 81.

167 Horsley (1979), 58 and Hanson and Horsley (1999), 61. In stating that there was a massive increase in the number of bandits in the decades precluding the First Jewish Revolt, Horsley very closely mimics Josephus' narrative, in which he claims that by that time, the whole of Roman Palestine became infested with *leistai*: Flavius Josephus, *Antiquitates Iudaicae* 20.124.

where brigand groups often became the strongest force around and therefore the de facto rulers of large parts of Palestine. The gradual reconquest of the region by the Romans aggravated the situation: peasants had to flee their lands and had no other choice but to join a bandit gang. All these gangs ultimately ended up in Jerusalem, where bandits made up an important part of the insurgents and where, in the end, they met their fate with the reconquest and burning of the city by Titus.[168]

1.5. The erosion of the social banditry model

Since the publication of Horsley's theory, the applicability of the social banditry model to early Roman Palestine has been intensely discussed. While scholars working shortly after the publication of the theory tried to optimize the model[169], scholarship since approximately the 1990s has become increasingly suspicious about its potential to explain the situation in early Roman Palestine.[170] Furthermore, Hobsbawm's identification of the social bandit has suffered itself critique, as anthropologists demonstrated the non-existence of this Robin Hood-type figure in real life.[171]

The debate concerning social banditry (even if we would limit us to early Roman Palestine) is too extensive to be dealt with in this study[172], but for our purposes, a brief summary of the critiques suffered by Hobsbawm and Horsley may suffice. First, anthropologists have argued that the idea that bandits voiced social protest coming from within peasant society, does not correspond with anthropological conclusions based on fieldwork.[173] Hobsbawm's Marxist divide between the peasant 'class' at the one hand and the regional and national elite on the other seems to be a faulty one when looked at more closely. Soon after the publication of *Bandits* in 1969, Anton Blok pointed at the links that appeared to have existed between bandits and the authorities, both regional and national.[174] He argued that Hobsbawm had paid too much

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[168] Hanson and Horsley (1999), 78-85.
[169] E.g. Freyne (1988), 50-68 and Donaldson (1990), 19-40.
[170] E.g. Kloppenborg (2000), 245-253; Grünewald (2004), 91-109; Blumell (2008b), 35-53; Kloppenborg (2009), 451-484 and Sharon (2017), 361-377.
[171] E.g. Blok (1972), 494-503; Driessen (1983), 96-114; Slatta (1987); Joseph (1990), 7-53; Santa Cassia (1993), 773-795 and Wagner (2007), 353-376. Concerning ancient history, the best refutation of the applicability of the social banditry model remains Shaw (1984), 3-52, especially pp. 3-24.
[172] Note that in chapter 2-5, when we discuss Josephus' passages on Palestinian *leistai*, we will indirectly return to this discussion, because our analysis of these passage has to give attention too to both the Zealot and the social banditry model in order to show the greater plausibility of the theory developed throughout this study.
[173] Hobsbawm himself did rely mainly on secondary literature, not on first-hand research of the sources by himself. Hobsbawm (1971), 11.
[174] Blok (1972), 496.

attention to the bandits themselves, and had largely ignored the role larger society played in shaping banditism. After all, he stated, bandits needed to have some sort of protection when operating (otherwise, they would soon be caught). Relations with regional and national authorities may therefore have been established by the bandits, Blok proposes.[175] Anthropologists taking up the task of looking at banditism in relation to wider society[176] have indeed showed that there were clear connections between bandits and the authorities. Often, bandits acted more or less by the grace of or were even commissioned by the authorities, targeting rich and poor alike.[177] Blok had already pointed at the fact that bandits seemed to have been as often an obstruction to the utterance of peasant protest as they were a mouthpiece to it; and that bandits were not scared of the idea of attacking peasants, as Hobsbawm had stated.[178] Furthermore, Blok criticised Hobsbawm's reductionist approach, selecting only these bandits as source material that fitted his theory and ignoring the others.[179] His conclusion, and that of many anthropologists since was thus that the social bandit was not a real-life character, but "*a figment of human imagination*".[180]

Second, scholars of early Roman Palestine have repeatedly attacked Horsley on his loose reading of Josephus and on his Hobsbawmian imitation of giving not enough attention to wider society and the role this could have played in the development of *latrocinium* in early Roman Palestine.[181] Furthermore, scholars have criticised his tendency to see all Palestinian *leistai* as rural bandits driven by socio-moral motives, arguing that it becomes clear from Josephus' narrative (although not from his terminology) that it is wrong to assume that all

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[175] Blok (1972), 498-499. Blok asked for a refocussing of scholarly attention to the interdependencies between lords, peasants, and bandits.

[176] For example Driessen, who, in his article on brigandage and local community in nineteenth-century Andalusia, stated: "*[t]he main concern of this essay is to suggest a more adequate approach that will enable us to construct a realistic image of banditry in nineteenth-century Andalucia. There are several indications that brigands and powerholders were often intimately tied to each other. In order to answer the question why, detailed knowledge of local community structure and its embracement with the state is required.*" (Driessen (1983), 97).

[177] E.g. Driessen (1983), 96-114; Slatta (1987); Joseph (1990), 7-53; Santa Cassia (1993, 773-795 and Wagner (2007), 353-376.

[178] Blok (1972), 496-497. Hobsbawm stated that: "*[i]t would be unthinkable for a social bandit to snatch the peasant's (though not the lords) harvest in his own territory, or perhaps even elsewhere.*" (Hobsbawm (1971), 14). Blok's sources show that at least this last statement, concerning peasants elsewhere, does not coincide with reality.

[179] Blok (1972), 496-497. Hobsbawm admitted in his book on bandits that the social bandit was indeed only one sort of bandit, the kind that was not seen as a criminal by public opinion. Hobsbawm (1971), 13. This same reductionist approach is used by Horsley when he identified *leistai* as social bandits; he too selected only these *leistai* that fitted the Hobsbawmian theory when trying to prove the applicability of the social banditry model on early Roman Palestine. Cf. Infra.

[180] Blok (1972), 500.

[181] Freyne (1988), 50-68; Grünewald (2004), 91-109; Blumell (2008b), 35-53; Kloppenborg (2009), 451-484 and Sharon (2017), 61-77.

leistai mentioned had the same motives for their actions, let alone that they all were Robin Hood-like types.[182] But the perhaps most decisive element against the social banditry model, an argument that is of course closely linked to the previously mentioned critiques, is the fact that Horsley fails to show substantial evidence in favour of his claims. Often, he himself has to admit that there is no direct proof for this or that element of social banditry in a passage. Subsequently, he comes up with circumstantial evidence, which could possibly hint towards social banditry, but may just as well be interpreted differently (and scholars assessing Horsley's claims have often showed that these different interpretations are the more plausible ones). One illustrative example may suffice to make this clear:

> "*Hezekiah's band of brigands had been long active along the Syrian border. Although we have no precise evidence from either of Josephus' reports (...), we can surmise from the particular circumstances of the time that these bandits were victims of and fugitives from the shifting economic and political situation and the newly gained power of the local nobles. Concerning their possible robbing the rich and giving to the poor we have no evidence, but they do appear to have been on good terms with the people in Galilee. They were certainly not seen as enemies of the people. They apparently plundered primarily in Syria, not in Galilee. The Syrians may have been pleased with Herod's destruction of the brigands, but there was a substantial outcry among the Galileans and even an official protest in Jerusalem.*"[183]

Besides Horsley admitting there is no actual proof linking Hezekiah and his *leistai* to social banditism, this text is made up of far-fetched readings of Josephus' passages and claims that have no ground at all. There is in fact nowhere in Josephus any ground to base an argument upon concerning the attitude of the Galileans towards these *leistai*. Horsley points himself at the fact that these men targeted primarily Syria and that there was popular outcry after they were killed. Concerning the first element, Josephus only mentions that it was *first of all* the Syrians that were happy with the eradication of these *leistai*, since they were the prime targets of these bandits. He does not say anything about the question whether the Galileans were spared

[182] E.g. Freyne (1988), 65: "*Social banditry and peasant revolts of millennial inspiration may indeed offer interesting typologies for a discussion of first-century Palestinian aspirations, but the results of our investigation suggest that they are more applicable to Judea (in the narrow sense) than to Galilee.*"
[183] Horsley (1979), 53-54.

from these attacks or on how the Galileans felt about the eradication of Hezekiah's gang. Second, there is no proof for any popular outcry following the death of these men, unless you would, like Horsley, read the emergence of it into Josephus' statement that Herod left some garrisons in Galilee when he returned to Jerusalem to maintain the peace over there.[184] The official protest is also no evidence for any form of popular outcry in Galilee, since it was issued by members of the establishment in Jerusalem fearing Herod's success and supported by the mothers of the deceased men, hardly people unbiased and representative of how the population of Galilee reacted to these events. Last, Horsley's identification of these *leistai* as "*fugitives from the shifting economic and political situation and the newly gained power of the local nobles*"[185] should be seen as an example of his deterministic reflex to see economic conditions echoing the conditions that according to Hobsbawm *could lead* to social banditry as evidence for the existence of social banditry in early Roman Palestine. This passage reflects the thin base on which the social banditry model rests.

So, this model too, struggles with both the difficulty reading Josephus on this subject and the problems concerning developing a theory that corresponds to the ancient concept of *latrocinium*. As we just saw, Horsley ran into problems with Josephus' account because of the limited information the Jewish historian discloses when he talks about *leistai*. Indeed, next to the coloured meaning Josephus himself attaches to his stories, the thin descriptions[186] he writes of the *latrocinium*-passages are the second element that make it so hard for us to analyse the Palestinian *leistes* in Josephus.

Horsley tried to make sense of what Josephus was writing by using the model of social banditry developed by Hobsbawm. By doing this, he also avoided in a way dealing with the difficult concept of *latrocinium*. Horsley in fact identified social banditry as a particular case of the broader phenomenon of *latrocinium*. He rightly argued that *latrocinium* was a very broad concept, but in linking social banditry to one sort of *latrocinium*, he used the same reductionist approach Hobsbawm did, selecting only these elements that more or less fitted the social banditry model to show that social banditry was indeed a part of life in Graeco-Roman society.[187] This shows again that it is difficult to come to grips with what *latrocinium* enclosed and how we have to handle the broadness of the concept.

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184 Freyne (1988), 55-56.
185 Horsley (1979), 53.
186 For the concepts of thin and thick description, see Geertz (1973), 5-10.
187 Horsley (1979), 47-52.

1.6. Looking beyond the Hengel-Horsley debate

This brief overview of scholarship concerning *latrocinium* in early Roman Palestine shows the necessity to take a fresh view upon the subject matter. It showed us two main difficulties with which all students of the Palestinian *leistes* have been confronted: the difficulty in understanding *latrocinium* from our present-day viewpoints and the crux of making sense of Josephus' treatment of the Palestinian *leistes* in his narratives concerning the first century before and after the birth of Jesus Christ.

Both models have tried to avoid the laborious task of understanding *latrocinium* as an ancient Mediterranean concept by looking for present-day models that more or less (mostly the latter) resembled *latrocinium*. But by using these grand ideas, whether the idea of a nationalist rebel movement or that of social banditry, their models did say more about their own societies and the ideas that lived in them than about *leistai* in the times of Herod the Great, Jesus Christ, and Flavius Josephus. This becomes abundantly clear when we look at how their theories correspond to the available source material. We saw that there was actually no ground present in Josephus' books on which we could build the idea that Palestinian *leistai* living between 6 and 66AD were politico-religious freedom fighters who were all part of one nationwide resistance movement fighting the Roman oppressor. Neither is there clear evidence on which one could base the view that Josephus' *leistai* were ancient Robin Hoods, bandits who stole from the rich and gave to the poor, driven by moral ideas concerning how society should be run and hailed by their fellow peasants as heroes.

Recent lines-of-thought have shown that if we want to get an understanding of *latrocinium* in early Roman Palestine, we have to look at the role these *leistai* played in Josephus' stories and at how these people fitted in the wider, rural society of the ancient Mediterranean.[188] Seen from this view, Horsley was right to look at how peasants tried to make a living and at how economic and environmental difficulties could influence life in the countryside. But he forgot to look at other important aspects of life in the ancient countryside. We also have to look at the strategies these peasants developed to deal with risks threatening

[188] Isaac (1984), 171-203; Shaw (1993), 176-204; Schwartz (1994), 290-306; Kloppenborg (2000), 245-252.; Blumell (2008b), 35-53 and Kloppenborg (2009), 451-484.

their subsistence; at social relations in rural areas, not only horizontal between members of the peasant community, but also vertical with regional strongmen active in the same parts of the rural Mediterranean world. And at how these strongmen, as intermediaries between the Roman state and the peasants, tried to maintain and enhance their position in society by keeping control over the countryside and finding (and financing) ways to stay in favour with the people running the empire. Looking at these elements and constructing a model of *latrocinium* that takes into account life in the ancient Mediterranean countryside constitutes the subject of our next chapters.

2. Latrocinium, patronage, and survival

2.1. The adventurers from Dabaritta

Early in the year 67, a few months after the outbreak of the hostilities in Jerusalem that would lead to the destruction of the Second Temple, some *leistai* attacked a carriage crossing the Jezreel Valley:

> "*Some adventurous young men from Dabaritta lay in wait for the wife of Ptolemy, the king's overseer.*[189] *She was travelling in great state, protected by an escort of cavalry, from territory subject to the royal jurisdiction into the region of Roman dominion, when, as she was crossing the Great Plain, they suddenly fell upon the cavalcade, compelled the lady to fly, and plundered all her baggage. They then came to me* [Josephus] *at Tarichaeae with four mules laden with apparel and other articles, besides a large pile of silver and five hundred pieces of gold. My own desire was to keep these spoils for Ptolemy, seeing that he was a compatriot and we are forbidden by our laws to even rob an enemy; to the bearers I said that the goods must be reserved for sale and the proceeds devoted to the repair of the walls of Jerusalem. Indignant at not receiving their expected share of the spoils, the young men went to the villages around Tiberias, declaring that I intended to betray their country to the Romans.*"[190]

What is interesting about this story is not only Flavius Josephus' involvement in *latrocinium*-like activities or, linked to it, the fact that he refrains from calling the men from Dabaritta *leistai*; but what happened after the attack was carried out. The adventurous men who attacked the carriage went to Josephus and offered him their loot.[191] Nevertheless, this was no mere offering to the man who had positioned himself as the regional strongman of Galilee, as can be seen from their reaction when Josephus told them he intended to use the spoils for the repair of the walls of Jerusalem. Their indignation and subsequent attempts to flare up a revolt against

[189] The same story is told in Flavius Josephus, *Bellum Iudaicum* 2.595-598, but there, the victim of the attack is not Ptolemy's wife, but Ptolemy himself.

[190] Flavius Josephus, *Vita* 126-129 (Translated by Thackeray, H.S.J., *The Life and Against Apion*. Loeb Classical Library (Cambridge and London 1966), 48-51).

[191] In *Bellum Iudaicum* 2.596, Josephus mentions that they only did so because they couldn't dispatch of the spoils without being noticed.

Josephus betrayed the fact that they expected the Jerusalem priest to let them participate in the loot.[192] Why this outrage? After all, they had handed over the spoils themselves. The obvious explanation is that Josephus and the adventurers from Dabaritta were linked to each other by some kind of patron-client relationship (or at least, that the men from Dabaritta expected Josephus to become their patron after they handed over their loot). We could rule out the idea of the former being a bandit leader in the usual sense of the word; both his high social status, his recent arrival in Galilee, and the fact that the *leistai* only brought him the spoils because they couldn't dispose of them secretly[193] make such an assumption highly unlikely. Josephus possibly supported these *leistai* with arms, protection, and means to survive.[194] They in return offered their loot to their patron, in the expectation that he would take his share and return to them the rest. The fact that they offered their spoils to Josephus was presumably part of the ritual aspect of the relationship; rituality was an important part of such relations, as we will see in the next chapter.[195] Further, it was probably more fitting for the patron to divide the loot among himself and his clients than the other way around.

Whether or not this passage shows that Josephus was not very good at being a patron to these *leistai* cannot be said based on this one passage. We do not know how he acted in other cases, we even do not know whether this attack ever happened; Josephus may have invented this story to highlight his loyalty to king Agrippa II or to defend his conduct of leadership in Galilee against later criticism. What this story does show however, whether real or invented, is that patron-client relationships played an important role within the phenomenon of *latrocinium* in early Roman Palestine. Even if the story was fictional, the fact that Josephus writes in this way about the inner workings of the relation between the practitioners of *latrocinium*-like activities and their protectors, is revealing for how people at the time thought about how *latrocinium* worked. Furthermore, since he himself was active as a patron and a *leistes*, Josephus knew from personal experience how such relations worked.[196]

But why did both the men from Dabaritta and Josephus engage in such patron-client relationships. Or, more in general, why did members of the peasant community and regional strongmen find each other in a common interest in *latrocinium*? In this chapter, we will first focus on the members of peasant society in early Roman Palestine and on the meaning of

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[192] For the remainder of the story, see Flavius Josephus, *Vita* 130-146.
[193] Flavius Josephus, *Bellum Iudaicum* 2.596.
[194] In the next chapter, when we discuss Josephus' attempt to install himself as the new regional strongman of Galilee, we will see that he indeed tried so by supplying the Galileans with arms and financial means.
[195] Woolf (2010), 181.
[196] On Josephus as a *leistes*, see chapter 3.3.

latrocinium to them. Afterwards, our attention will shift to the regional strongmen and to their need for riches obtained out of *latrocinium*-like activities.

2.2. Making subsistence in the Palestinian countryside

Most people in Roman times made their living in agriculture and many of them were subsistence peasants who were only partially linked to the market economies of the empire.[197] Although radical primitivism has been abandoned by most historians of ancient history, few of them have been willing to embrace fully the modernist ideas of Rostovtzeff.[198] Complex trade had a place in the Roman world and especially communities living close to major sea or land routes could profit from this and integrate themselves in the network of larger market economies that was also part of the complex picture of the Roman economy. Most communities however lacked such opportunities and were for the most part dependent on their own little plots of land for their survival.[199] Nevertheless, even these communities were in some way linked to larger economical networks, as I will show in the next pages.[200] Patron-client relationships provided to them the opportunity to survive in the volatile Mediterranean climate.

The Mediterranean climate is known for its inconsistence. In some years, it might rain so much that rivers flood and crops wash away, while in others, too few drops of rain hit the ground to raise wheat or even barley.[201] This climatic situation is and was characteristic for the entire Mediterranean area, but especially typical for its eastern parts.[202] In such a climate, making subsistence requires some inventiveness. In order to cope with this uncertainty, peasants applied what Thomas Gallant calls ‘risk-buffering behaviour’: they tried to minimise the risk of crop failure by using various strategies. Most common were for example crop diversification, micro-spatial fragmentation of landholdings, and direct storage.[203] Crop diversification meant that one sowed different crops on one piece of land to respond to different types of crops needing different types of weather conditions in order to grow. Barley for

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[197] Erdkamp (2005), 56.
[198] Bligh (2010), 25. For the classical treatment of the ancient economy from respectively a modernist and a primitivistic angle, see Rostovtzeff (1926) and Finley (1975).
[199] Horden and Purcell (2015), 51-172.
[200] Cf. Erdkamp (2005), 55-105.
[201] Gallant (1989), 395-398 and Garnsey (1990), 131-133.
[202] Gallant (1989), 395.
[203] Garnsey (1988), 48-55; Gallant (1989), 398-401 and Garnsey (1990), 133-135.

example needed much less water than wheat to ripen and could thus survive in certain years when wheat could not. This strategy, although one that both subsistence peasants and big farmers could apply, was, like most other strategies[204], better suited to commercial farming than to subsistence farming. Subsistence peasants had to make sure that, at the end of the agricultural cycle, enough food was produced to make subsistence. This reduced their opportunity to raise other crops than wheat and barley and to rely on only some crops surviving. Most of the time, they needed (almost) all of their areal to meet subsistence needs.[205]

Micro-spatial fragmentation of landholdings was quite similar, but instead of sowing different types of crops on one piece of land, you plant one (or more) types of crops on various geographically distanced plots of land. Doing so could prove quite favourable, since climate in the Mediterranean was not only unstable over time, but also very different from place to place. Two spots only a few kilometres apart could enjoy very different climatic circumstances, partly due to the capricious relief of the Mediterranean world.[206] Nevertheless, this strategy was again more available to rich farmers, since they could afford buying and cultivating plots of land in different areas.[207] One could also store some of his harvest to overcome difficult years, but this not only required the peasant to have adequate storage facility at hand, but also having harvests big enough not to be used entirely in one year. Most of the time this was no option.[208]

Furthermore, all these strategies worked in the case of one bad harvest, but when weather conditions remained bleak for two or three years in a row, most strategies would lose their efficiency.[209] Further, weather conditions were not the only factors that could lead to bad harvests: war, plundering, banditism, animals eating one's crops, … could all result in food scarcity. Peasants thus also needed other strategies to make subsistence when relying on their own plot of land turned out to be no option anymore.

One could try to raise a second crop[210], but most of the time help had to be sought from the outside. Ancient authors seldom speak about subsistence peasants, let alone about their strategies to survive, but there are some coincidental mentionings of peasants relying on outside networks in order to make subsistence. One of these rare mentions is a story by Dio Chrysostom

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[204] Increased weeding perhaps being one of the few exceptions due to the possibility of increasing labour being relatively cheaper to the peasant than to the farmer. Labour was the one thing peasants rarely lacked of.
[205] Garnsey (1988), 49-53.
[206] Horden and Purcell (2015), 53-88.
[207] Garnsey (1988), 48-49 and Gallant (1989), 400.
[208] Garnsey (1988), 53-55.
[209] Gallant (1989), 402.
[210] Gallant (1989), 402.

in which he tells about two rural families that offered him hospitality after he had survived shipwreck. Dio mentions that these people had borrowed the previous year some grain to sow their own fields and that their fathers had in the past worked as hired herdsmen in the employ of a wealthy landowner.[211] This story shows us that even subsistence peasants, who relied primarily on their own land for survival, were in a way linked to the wider economy by engaging in relations with other people.[212] These relations could be horizontal, with people of the same socio-economic background, or vertical, with people of a higher socio-economic status, being patron-client relationships.[213] The latter were to be preferred, because when you ran out of food during a crisis, your economical peers would probably too. Research for early modern Flanders has shown that people having access to vertical relations were far more resilient in the face of crisis than peasants only having access to horizontal networks.[214]

Vertical relations also supplied an additional benefit: they also allowed peasant households to deal with the labour surplus most of them struggled with. Peasant households varied in composition over time. Initially few mouths had to be fed and few labour was at hand. Then, when peasants started to have children, initially the amount of mouths to be fed increased without adding to the available labour power. But once these children hit a certain age, they supplied an increased amount of labour power, one which could often not be set to use at the own farm.[215] In order not to let this labour potential go to waste, peasants sought employment outside the own household, preferably on nearby estates of larger farmers (think about the fathers of the men Dio Chrysostom met working as hired herdsmen).[216] These larger farm holders were happy with these relatively cheap labourers, who could be employed at their farms, especially at peak moments when slave labour alone did not suffice.[217]

However, not all these men[218] could be employed as rural workers or herdsmen. Luckily for them, regional strongmen were not only looking for people to work their farms or herd their flocks. As important people in their own region, they also needed people to protect them and

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[211] Dio Chrysostom, *Orations* 7.49 and 7.68.
[212] For a full discussion of this episode and its potential for agricultural history of Classical Antiquity, see Erdkamp (2005), 55-105.
[213] Garnsey and Woolf (1989), 157.
[214] Lambrecht and Vanhaute (2011), 155-186.
[215] Erdkamp (2005), 61-64.
[216] Burford (1993), 186 and 191 and Erdkamp (1999), 556-572.
[217] Erdkamp (2005), 81-87.
[218] Women usually did not work outside the own household. They were sometimes employed in proto-industrial activities at home, like for example the manufacture of textiles. Erdkamp (2005), 90-94.

to perform activities, like *latrocinium*, to aid them in making money and boosting their prestige. Anthropological studies have shown that regional strongmen often depended upon bandits coming from the peasant community to help them maintain their position in society.[219] Hobsbawm identified men between the age of reaching puberty and marriage as the most likely people to become bandits. These people, according to him, were not yet tied to the land by marriage and other responsibilities and could thus move relatively freely around the countryside.[220] They could offer their labour to these regional strongmen at times when work at the family farm was slow in exchange for protection in times of crisis. In that way, peasant communities could both activate their labour potential and forge bonds with socio-economic superiors on which to draw in times of need. Furthermore, such bonds might guarantee them protection by these regional strongmen, who would not want to lose their relatively cheap labour forces close at hand. Such rural patron-client relationships, in which peasant communities offered a portion of their harvest in good years and labour to the patron, who returned their 'gift' by protecting them and supporting them in bad years, are attested all over the Mediterranean world throughout the whole of Antiquity.[221]

Via these vertical relationships, peasant communities were linked to wider economical networks that allowed them to survive.[222] They didn't participate directly in the market economies of the Roman world, but their link with regional strongmen allowed them to ease the risks of a pure autarkic lifestyle. Performing *latrocinium*-like activities in the employ of these powerful men, permitted them to set up a relation with these latter ones that could be instrumentalized in times of hardship, but also provided them with a side-income that must have been very welcome, especially to peasants living in the higher and/or drier parts of Roman Palestine, were survival was even harder than in more fertile parts of the Mediterranean world.[223] In the next subsection, we will encounter a few examples of peasant communities stimulated by their patrons to roam their neighbourhood as brigands, supplementing their meagre 'income' from subsistence farming.

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[219] Blok (1974); Lewin (1979), 116-146; Driessen (1983), 96-114 and Sant Cassia (1993), 773-795.
[220] Hobsbawm (1971), 25-26.
[221] Halstead (1981), 187-213 and Gallant (1989), 404-405.
[222] Erdkamp (2005), 104-105.
[223] For an overview of climatic and farming conditions in the various parts of first-century Roman Palestine, see Roth (1991), 37-100 and Rodts (2015), 66-113.

2.3. *Leistai* in Trachonitis

Most of the time, ancient authors remain vague about the circumstances that drove people to *latrocinium* and about the motives they had for attacking and plundering cities, travellers or fellow rural dwellers. Josephus also passes over the reasons behind *latrocinium* and the circumstances surrounding this form of rural violence in many cases. Often, we are told nothing more than the name of the leader of the *leistai*, the region where his band was active, and his ultimate fate.[224]

However, in two rare cases, both about *latrocinium*-like activities in Trachonitis in the last quarter of the first century BC, Josephus discloses some additional information that allows us to test the above-mentioned theory on peasant communities performing such activities against some ancient source material from Roman Palestine itself. These passages are often ignored by scholars of *latrocinium* in early Roman Palestine, due to the marginal position of Trachonitis in relation to the centres of Jewish life in the ancient Middle East.[225] Nevertheless, including these passages in a study on the Palestinian *leistes* is justified, not only because of Herod's extensive involvement in this region or because of Josephus' inclusion of these passages in his *Bellum Iudaicum* and *Antiquitates Iudaicae*[226], but also because of the striking similarities between Zenodorus and Syllaeus, the strongmen involved in *latrocinium* in first-century BC Trachonitis on the one hand and other regional strongmen in first-century AD Galilee like for example John of Gischala and, to a certain extent, Flavius Josephus. Furthermore, the lack of much useful source material about the subject at hand urges us not to discard such rich passages, even though they are talking about a region that not everybody would identify as part of Roman Palestine.[227]

The first of these two fragments talks about how Herod came into possession of Trachonitis around 23 BC. He received it from the emperor Augustus, who gave it to him after having confiscated it from Zenodorus, an important landholder and strongman in the Middle

[224] For example: "*Not long afterwards, Tholomaeus the arch-brigand, who had inflicted very severe mischief upon Idumaea and upon the Arabs, was brought before him in chains and put to death.*" Flavius Josephus, *Antiquitates Iudaicae* 20.5.

[225] Of the main scholars mentioned in chapter 1, Benjamin Isaac and B.D. Shaw are the only authors who really paid attention to this episode. Isaac (1984), 178; Isaac (1992), 575-576; Shaw (1993), 188-189 and Shaw (2014), 234-238.

[226] The passage on Zenodorus is mentioned in both works, the one on Syllaeus only in *Antiquitates Iudaicae*.

[227] Including these passages puts big question marks to the Zealot model and especially to the social banditry model, as we will see in a moment.

East.[228] Both this passage and the other one, were included in Josephus' narrative to highlight Herod's reputation as a bandit-catcher and a king capable of dealing with *leistai*, although subtler in the *Bellum Iudaicum* than in the *Antiquitates Iudaicae*.[229] The main difference between both versions is the role Josephus ascribes to Herod in ridding Trachonitis from *latrocinium*. In *Antiquitates Iudaicae*, Herod is the one who ultimately defeats the *leistai*, while in *Bellum Iudaicum*, it is the Syrian governor, Varro, who "*cleared the district of these pests and deprived Zenodorus of his tenure*".[230] Herod only comes in later, to keep the Trachonites from relapsing into *latrocinium*-like behaviour.[231]

Concerning the motives ascribed to the Trachonites for engaging in *latrocinium*-like activities, both accounts are fairly similar though. In *Antiquitates Iudaicae*, which contains the longest account of what allegedly happened in Trachonitis around 23 BC, we read:

> "*(...) There was a certain Zenodorus who had leased the domain of Lysanias*[232]*, but not being satisfied with the revenues, he increased his income by using robber bands in Trachonitis. For the inhabitants of that region led desperate lives and pillaged the property of the Damascenes, and Zenodorus did not stop them but himself shared in their gains.*"[233]

Josephus thus ascribed the eagerness of the Trachonites to their "*desperate lives*". A few lines further, he informs us of what he meant by these words:

> "*For it was really not easy to restrain people who had made brigandage a habit and had no other means of making a living, since they had neither city nor field of*

[228] Flavius Josephus, *Antiquitates Iudaicae* 15.342-348. Cf. Flavius Josephus, *Bellum Iudaicum* 1.398-400. On Zenodorus, see Shaw (2014), 234-238.
[229] Shaw (1993), 184-189, especially pp. 188-189. We will discuss Herod's dealings with the *leistai* of Galilee and Trachonitis in more detail in chapter 4.2.
[230] Flavius Josephus, *Bellum Iudaicum* 1.399.
[231] Shaw (1993), 188-189.
[232] According to Shaw, Zenodorus was probably the son of Lysanias, who was the tyrant of Trachonitis until the mid-30s BC, when Cleopatra convinced Marcus Antonius to put this regional strongman to death and turn his lands over to her. Zenodorus was afterwards probably forced to lease back his father's former possessions from the Egyptian queen. Shaw (2014), 234-238.
[233] Flavius Josephus, *Antiquitates Iudaicum* 15.344 (Translated by Marcus, R., *Jewish Antiquities, books XV-XVII*. Loeb Classical Library (Cambridge and London 1969), 166-167).

their own but only underground shelters and caves, where they lived together with their cattle. (...)."[234]

Josephus thus blames the underdeveloped state of the Trachonitian economy for the miserable lives the Trachonites have to live and for them turning to plundering the Damascenes. Our Jewish historian was certainly exaggerating the state of the Trachonitian economy, as can be seen from Herod turning the Trachonites into peasants (which most of them probably already were in one way or another).[235] Nevertheless, he probably had a point when emphasizing that the Trachonites needed to perform *latrocinium*-like activities if they wanted to survive. First, there is his later mentioning that after a decade or so, these people turned again to their old practices and restarted plundering the surrounding countryside.[236] Second, when we look at Trachonitis' position on the map, we should not be surprised to learn that agriculture was unable to provide people living there a stable base of survival. Trachonitis, situated in Transjordan, was located near the border of the Arabian Desert, a region where it rained barely enough to raise barley, the grain that needed the least rainfall.[237] On the other hand, it seems equally unlikely to believe that large groups of people were able to survive there solely on what they plundered from their neighbours. They probably already farmed some plots of land, using both agriculture and plunder to make subsistence. Archaeological finds for Northern Africa have shown that it was not uncommon for people living near the desert to combine these two modes of income to survive.[238]

A third mode of income is also mentioned in Josephus' passages on Zenodorus and the *leistai* of Trachonitis. In the above-quoted citations, we read that according to Josephus, these Trachonites did not turn to the mentioned *latrocinium*-like activities against Damascus themselves, but were urged to do so by Zenodorus, the regional strongman of the region.[239] This becomes even more clear from Josephus' account in his *Bellum Iudaicum*, in which he says the following:

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[234] Flavius Josephus, *Antiquitates Iudaicum* 15.346 (Translated by Marcus, R., *Jewish Antiquities, books XV-XVII*. Loeb Classical Library (Cambridge and London 1969), 166-167).
[235] Flavius Josephus, *Antiquitates Iudaicae* 16.271.
[236] Flavius Josephus, *Antiquitates Iudaicae* 16.272-273.
[237] Butcher (2003), 161; Naval Intelligence Division (1943), 57 and Safrai (2010), 248.
[238] Fentress (1979), 66.
[239] Strabo also mentions Zenodorus as a local lord being in cahoots with the *leistai* terrorising the surrounding areas of Trachonitis: "*But this is less the case now that the bandits attached to Zenodorus have been broken up both because of the good order established by the Romans and because of the safe conditions created by their soldiers in Syria.*" Strabo, *Geographica* 16.2.20 (translated by Shaw (2014), 235).

"*Zenodorus, who had taken on lease the domain of Lysanias, was perpetually setting the brigands of Trachonitis to molest the inhabitants of Damascus.*"[240]

Here, we clearly see the link between regional strongmen and rural dwellers adhering to the peasant community stressed by an ancient author. The *latrocinium*-like activities that plagued the Damascenes and other people in the neighbourhood of Trachonitis, were only possible because of Zenodorus and the inhabitants of that latter region working together. Seen from the precarious economic situation in Trachonitis, it becomes obvious why members of the peasant class would turn to patron-client relationships with the local regional strongman. He could not only offer them protection against the local magistrates and bandit-catchers from Damascus and surroundings, but they would also have been able to rely on him helping them survive hardship. But what about Zenodorus? Why was he so eager to engage in *latrocinium*, an activity that in the end brought him into conflict with the imperial administration?

2.4. Syllaeus and the interest of regional strongmen in *latrocinium*

Before answering the question why Zenodorus actively encouraged the Trachonites to plunder their vicinity, we have to continue the story of *latrocinium* in first-century BC Trachonitis. Only a decade after the fall of Zenodorus, *latrocinium*-like activities flared up again in this same region. During these disturbances, we meet another regional strongman, one who can be seen as the direct heir of Zenodorus as patron of the Trachonitian *leistai*:

"*After Herod had been in Rome and returned from there, a war broke out between him and the Arabs for the following reason. The inhabitants of Trachonitis, the region that Caesar had taken from Zenodorus and added to Herod's territory, no longer had freedom to practice brigandage, but were forced to till the soil and live peaceably. This was not what they wanted, nor did the soil bring much profit in return for their labour. At first, however, with the king preventing them, they refrained from committing offences against their neighbours, and for that reason Herod acquired a favourable reputation for vigilance. But after he sailed to Rome*

[240] Flavius Josephus, *Bellum Iudaicum* 1.398 (Translated by Thackeray, H.S.J., *The Jewish War, books I-III*. Loeb Classical Library (Cambridge and London 1967), 186-187).

to bring charges against his son Alexander and to visit Caesar in order to leave his son Antipater in his care, the inhabitants of Trachonitis spread a report that he had died, and they revolted and again turned to their accustomed way of robbing their neighbours. On this occasion, at least, the king's generals, in his absence subdued them. But some forty of the brigand chiefs, fearful of what had been done to those who had been captured, left the country and set off for Arabia, where Syllaeus received them after his failure to marry Salome, and gave them a fortified place to dwell in. And they overran and pillaged not only Judaea but also all of Coele-Syria, for Syllaeus provided a base of operations and security to these malefactors. But when Herod returned from Rome, he learned that many of his possessions had suffered, and since he was unable to seize the brigands because of the security which they enjoyed as a result of the protection given them by the Arabs, and was himself angry at the injuries inflicted by them, he surrounded Trachonitis and slaughtered their kinsmen."[241]

This last act flared up the hostilities even further and in the end Herod found himself engaged in a war with both these *leistai* and Syllaeus, an Arab strongman controlling vast parts of Arabia. Ultimately, Herod won the war and convinced Rome of Syllaeus' maleficent role in this bellicose episode of Jewish-Arab relations.[242]

First of all, we should note that this story confirms the picture about *latrocinium* we got from the passages on Zenodorus. Josephus makes it clear that the people of Trachonitis were unable to survive solely supported by agriculture. They had to supplement their income with spoils from *latrocinium*-like activities. Further, this passage again hints upon the necessary backing *leistai* needed from regional strongmen to be able to withstand attempts from the authorities to put a stop to their activities. Initially, they lacked such a support and were defeated by Herod's generals. But afterwards, when they had forged an alliance with Syllaeus, they received protection and Herod found himself unable to attack and defeat them directly; he had to resort to different tactics, like killing the kinsmen of these *leistai*.

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[241] Flavius Josephus, *Antiquitates Iudaicae* 16.271-276 (Translated by Marcus, R., *Jewish Antiquities, books XV-XVII*. Loeb Classical Library (Cambridge and London 1969), 318-321).
[242] Flavius Josephus, *Antiquitates Iudaicae* 16.277-299.

Second, during this conflict, Syllaeus took over the position of strongman protecting the Trachonitian *leistai* from Zenodorus. He supplied them with "*a fortified place to dwell in*", offered them protection, and presumably also material support and food, since they were now, at least initially, cut off from the fields of Trachonitis.[243] Again the question pops up what a regional strongman had to win by engaging in *latrocinium*, apart from settling a personal score with Herod.[244] A clue pops up from Josephus' description of Zenodorus' reasons for instrumentalizing the Trachonitian *leistai*, quoted in the previous section. Josephus noted that Zenodorus was "*not being satisfied with the revenues*" he got out of his dominions and therefore decided to "*increased his income by using robber bands in Trachonitis.*"[245] A regional strongman indeed needed a lot of money. He was some sort of middle man within the Mediterranean world, socially situated between the rural dwellers that populated the vast rural areas of the Graeco-Roman world and the central government, either the emperor in Rome, or, in the case of Roman Palestine, the Jewish king or later the Roman procurator. Being in such a position, he needed to forge good relations with both sides, and doing so often involved handing out money.[246]

Palestinian regional strongmen needed to forge good relations with either Jerusalem or Rome, and preferably with both. On a crude level, it was Rome that decided about the existence of regional strongmen. Such men had to show their usefulness to Rome, otherwise they ran the risk of being exterminated. Indeed, as Shaw showed, the line between 'friend of Rome' and *leistes* was very thin. Regional strongmen in a way barged into the power monopoly of the Roman state and thus constantly ran the risk of being called *leistai*. Rome tolerated them as long as it needed them, but when this was no longer the case, nothing restrained the central government to dispose of these men.[247] But regional strongmen did not only need to maintain good ties with influential people in Rome or Jerusalem to ward off being seen as *leistai*; they also wanted to influence power there where power was at its strongest, so they could be part of the official decision-making related to their 'chiefdoms'. Bribing politicians, up to the emperor

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[243] Flavius Josephus, *Antiquitates Iudaicae* 16.274-276.

[244] A few years earlier, Herod's demand that Syllaeus would convert to Judaism had prevented Syllaeus from marrying Herod's sister Salome. Flavius Josephus, *Antiquitates Iudaicae* 16.220-226.

[245] Flavius Josephus, *Antiquitates Iudaicae* 15.344.

[246] On the hazardous task of regional strongman and client kings to forge good relations with Rome, see Braund (1984), especially pp. 55-71 and Shaw (2014), 225-242. On the equally demanding obligation to convince rural dwellers to seek the regional strongman's patronage, see Hopwood (1989), 171-187.

[247] Shaw (2014), 225-242.

himself, was a necessity for every self-respecting regional strongman.[248] You never knew when such bribes could pay off.

Nevertheless, regional strongmen did not only have to maintain their position in the wider empire or kingdom. They also needed to make sure that they remained boss in their own regional stronghold. Potential opponents could turn up at every moment, as we will see in the next chapter when looking at the struggle over Galilee between John of Gischala and Flavius Josephus. Regional strongmen were expected to be euergetists, men who showed their status by granting gifts to cities and towns.[249] Furthermore, in the introduction to this study, we encountered Hopwood's 1989-article on rural patronage, in which he showed that local magistrates, a particular kind of regional strongmen, competed with each other to build client-networks as big as possible.[250] Such networks did not only guarantee them financial income, but also an increase in status. Regional strongmen thus needed to have enough income to offer their potential clients the best patron-client deal in the area. Otherwise, peasants would forge relations with his rivals and thus farm and plunder for the latter. One should thus not be surprised that Zenodorus wanted to instrumentalize the *leistai* at his disposal to plunder the Damascenes and other people in the vicinity of Trachonitis.

2.5. *Latrocinium* as part of patron-client relationships

In this chapter, we have seen that *latrocinium* was part of patron-client relationships between regional strongmen and members of rural peasant communities in Roman Palestine. Both clients and patrons had their own reasons to engage in *latrocinium*-like relationships. Peasants had a hard time dealing with the capricious Mediterranean climate. The great variability of rainfall each year, combined with the constant threat of war, plunder, and damage by animals made it difficult to make subsistence. Therefore, peasant communities forged patron-client relations with regional strongman. These strongmen protected them and helped them reach subsistence level in difficult years. In exchange, the peasants acted out some tasks for the strongmen, like helping them on their farms or performing *latrocinium*-like activities.

The regional strongmen were indeed all too eager to use their clients as *leistai*. Plundering cities, travellers, or other rural dwellers added to the income of the regional

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[248] Braund (1984), 55-67 and Braund (1989), 139-140.
[249] Braund (1984), 75.
[250] Hopwood (1989), 181-184.

strongmen from their other activities, and helped his clients to supplement their own meagre incomes. Under normal circumstances, the loot would be divided (how this was done, we don't know), so both parties would benefit directly from the job done. Peasants would be able to reach subsistence level and regional strongmen to maintain and perhaps improve their position in society, both at home and in the wider empire.

To conclude this chapter, we may finish our story of *latrocinium* in first-century BC Trachonitis. After the defeat of Syllaeus, Herod soon lost control again over the Trachonitian *leistai*. In an attempt to try something different, he tried to create a buffer-zone between Trachonitis and his other dominions. He attracted a Jew from Babylonia to his kingdom and settled him in Batanea, where he was tasked with keeping the Trachonites in check. This man, named Zamaris, established himself over there as a regional strongman and used the people he brought with him from Babylonia to rule Batanea and to prevent the Trachonites from inflicting too much harm upon the cities in their vicinity and the travellers crossing their land.[251]

In the end, Herod had no other choice than to fight fire with fire.[252] The need for the Trachonites to resort to *latrocinium*-like behaviour to survive proved too strong to tame. Herod thus employed a regional strongman of his own; one who relied on people using *latrocinium*-like behaviour to keep the Trachonites in check. But because they were employed in a way favourable to the interests of the central government, Zamaris and his men escaped being called *leistai*.[253]

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[251] Flavius Josephus, *Antiquitates Iudaicae* 17.23-31.
[252] Cf. Shaw (1993), 200.
[253] Cf. Shaw (1993), 200.

3. Archileistai and the establishment of regional power in early Roman Palestine

3.1. Eleazar ben Dinaeus and the troubles in the years under Cumanus

Josephus' narrative of the first century is highly coloured by the most important event that happened both to him and to all people that lived in Roman Palestine during the second half of this century, the Jewish Civil War of 66-70. Throughout his works, Josephus explains this war as a conflict between Roman legitimate power and some malicious troublemakers who did not represent the majority of the Jewish people in Roman Palestine. His account of, say, the last twenty years before the war, aims to show the reader that Palestinian troublemakers, often called *leistai*, were constantly causing unrest and violent mischief. By doing so, he was supporting his more general thesis, clearing himself, the Jerusalem priests, and the Jewish population of Roman Palestine at large from any blame for the outbreak of the Revolt.[254]

Starting from around the year 48, approximately around the time when Josephus could rely on his own experiences, his narrative turns into a series of scenes depicting malicious men (*leistai*, *sicarii*, false prophets, …) adding to the turmoil that resulted into the Jewish Civil War. This part of the narratives set forth in both *Antiquitates Iudaicae* and *Bellum Iudaicum* starts with two stories that have been used by both the adherents of the Zealot and social banditry models as clear evidence supporting their interpretation of *latrocinium* in early Roman Palestine.[255] The second of these stories introduced Eleazar ben Dinaeus, an important *archileistes*. According to Josephus, either one or a group of many Galileans travelling to Jerusalem to celebrate a religious festival were slain by the villagers of a Samaritan village.[256] Learning about this, the leaders of the Galilean people went to Cumanus, the Judean procurator, and urged him to take measures to punish the Samaritans for their crimes. Cumanus however, bribed by the Samaritans according to Josephus, denied their petition and sent them away.

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[254] Rajak (1983), 78-83; Bilde (1988), 77-78 Goodman (1989), 20-21; Mason (1991), 64-67; McLaren (1998), 55-56; Smith (1999), 502-503 and Brighton (2009), 29-33.

[255] The first being the attack on Stephanus: Flavius Josephus, *Bellum Iudaicum* 2.228-231 and *Antiquitates Iudaicae* 20.113-117; the second the troubles after the attack of the Samaritans on (a) Galilean traveler(s): Flavius Josephus, *Bellum Iudaicum* 2.232-249 and *Antiquitates Iudaicae* 20.118-136. For the interpretation of these stories from a 'Zealot point of view', see Hengel (1989), 346-348. For the interpretation of these stories from a 'social banditry point of view', see Horsley (1979), 57-58 and Hanson and Horsley (1999), 67-68 and 71-72.

[256] In *Bellum Iudaicum* 2.232, Josephus talks about one Galilean who was attacked and killed by the Samaritans; in *Antiquitates Iudaicae* 20.118, he claims a group of many Galileans were attacked and killed by these same Samaritans.

When news of this failed encounter with the procurator reached the people attending the religious festival, anger spread and they decided to take matters in their own hands. Aided by the brigand chiefs (*archileistai*) Eleazar ben Dinaeus and Alexander, they marched against Samaria, where they attacked and destroyed villages. Cumanus now decided to intervene, but it was only after the intervention of the Jerusalem elite that the authorities succeeded in calming down the situation. Ultimately, the case was referred to the emperor Claudius, who decided, after interference from the Jewish king Agrippa II, to choose sides with the Jews; condemning the leaders of the Samaritans to be executed and Cumanus to be banished.[257]

There are good reasons for seeing Eleazar ben Dinaeus and Alexander as regional strongmen caught up in *latrocinium*-like activities. About Alexander, nothing more is known besides his involvement in the Samaria case. Eleazar ben Dinaeus however, is mentioned again around the year 55, when he is caught by Felix, the new procurator of Judea.[258]

Various elements in Josephus' accounts of his arrest point towards Eleazar not being a mere bandit, but a man of some status, who happened to be involved in *latrocinium*-like activities. First, he was able to roam the countryside for twenty years, an incredibly long period of time, impossible to achieve without the support of a regional support network. Second, he was, with some important accomplices, send to Rome to be tried by Caesar, while the normal procedure was that bandits were tried and executed by the governor or the procurator himself. Eleazar's special treatment is also highlighted by Josephus' mention of other bandits being crucified by Felix, who were caught around the same time as Eleazar. Third, all other *leistai* mentioned by name by Josephus can be identified as regional, or at best local, strongmen.[259] It thus seems reasonable to state that Eleazar and Alexander too were regional strongmen involved in *latrocinium*-like activities, as there is no reasons why Josephus would call them by name if they were mere peasants performing such activities.

In the remainder of this chapter, our focus will be on investigating how regional strongmen like Eleazar ben Dinaeus and Alexander were able to remain in power for considerable amounts of time. We will look at how they forged ties with the rural dwellers performing *latrocinium*-like activities, how they dealt with other strongmen wanting to usurp

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[257] Flavius Josephus, *Bellum Iudaicum* 2.232-249 and *Antiquitates Iudaicae* 20.118-136.
[258] Flavius Josephus, *Bellum Iudaicum* 2.253 and *Antiquitates Iudaicae* 20.160-161.
[259] These other *archileistai* were Hezekiah, Zenodorus, Syllaeus, Zamaris, Simon the royal slave, Athrongaeus, Judas the Galilean, Asinaios and Anilaios, Tholomaeus, Jacob and Simon ben Judas, Simon ben Gioras, Jesus of Ptolemais, Jesus ben Shaphat, Justus ben Pistus, and John of Gischala. For more information about these people, see Appendix B.

their position of power in the countryside, and how they tried to form a working relation with the central authorities who were the legitimate rulers of their 'rural principalities'.

3.2. Establishing a regional power network in Galilee

In the introduction, I have already noted that almost all sources mentioning *latrocinium* were composed by people taking a negative stance towards it in their writings.[260] This does not only urge us to be careful when constructing a picture of this phenomenon based on these sources, it also deprives us from insights into the internal workings of *latrocinium*-relationships. Authors vilifying *leistai* as despicable criminals who should be eradicated were not inclined to write much about how *latrocinium* worked.

There seems however to be at least one exception to this rule. We probably have access to the autobiography of someone who was during parts of his life closely linked to people performing *latrocinium*-like activities; and that someone is no other than Flavius Josephus. Josephus does not seem to be someone associated to such activities at first, but during his time in Galilee, he had to deal with various *leistai*. And these dealings were not all the result of antagonistic encounters. We have seen Josephus interacting with the adventurers from Dabaritta who brought their spoils to Josephus after robbing someone out of the entourage of the Jewish king Agrippa.[261] When being commander in Galilee, Josephus partly relied on *leistai* to secure his position as new regional strongman of Galilee and to try to keep control over his new bastion of power. Furthermore, Josephus probably had some experience with power relations in the countryside when he came to Jerusalem. Both his father and his mother were from high birth and his family must have had some lands in the countryside. At the end of his *Vita*, we learn of him owning some lands in the vicinity of Jerusalem when Titus rewards him with additional possessions in the Jezreel Valley.[262] Josephus thus knew what he was talking about when discussing his relations with *leistai* in Galilee and his writings about his adventures in this region during the first months of the Jewish Civil War may provide us with some insights given by someone who knew about *latrocinium* and the inner mechanics that made *latrocinium* work from personal experience.

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[260] See section 0.3.
[261] Flavius Josephus, *Bellum Iudaicum* 2.595-598 and *Vita*, 126-129.
[262] Flavius Josephus, *Vita* 1-6 and 422.

Josephus came to Galilee in the fall of 66. After the failed attempt of Cestius Gallus to recapture Jerusalem, the priestly class now in charge of the Holy City decided to send men to all parts of Palestine to establish the priestly faction's leadership in these areas and to prepare them for an upcoming new encounter with the Roman army.[263] Josephus, as one of the important men among the priests, was send as a commander to both Galilees (Upper- and Lower-Galilee) and Gamala.[264] After arriving in Galilee, Josephus, according to his own writings, realised that he needed to build up a power network based on the existing regional and local power relations if he wanted to succeed in securing this area for the Jerusalem priests.[265] He summoned the 70 most revered local leaders of Galilee and made them his friends (*φίλους*). He also gave them some administrative tasks in order to govern the region adequately.[266] Making them 'his friends' probably meant forging patron-client relationships with them. Ancient patrons almost never referred to their clients as clients, but used the euphemistic notions of *amicus* and *philos* to do so.[267] Josephus placed himself at the top of the Galilean political hierarchy with these actions. In return for their loyalty, Josephus provided the Galileans with arms and with fortifications in the major towns and larger villages of the region he wanted to bring under his command.[268] The deal between both parties was probably sealed by a mutual oath of loyalty, customary when forging patron-client relationships.[269]

But Josephus did not only forge relations with the local leaders of Galilee, he also made a deal with the *leistai* who controlled the countryside outside the villages and towns. He forced them to swear an oath of loyalty too and ordered them to stay clear of the boundaries of the major Galilean districts and only to come to the major centres of habitation when Josephus summoned them or when their pay was not delivered on time. Because, in order to convince the *leistai* to do so, Josephus decided that the inhabitants of these districts had to pay a small sum of money that had to be given to the *leistai*. In exchange, these *leistai* would refrain from attacking those Galileans and their belongings.[270] Ordering these men to stay away from the major towns and larger villages of Galilee did not imply Josephus forbidding these *leistai* to

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[263] Flavius Josephus, *Bellum Iudaicum* 2.556-566.
[264] Flavius Josephus, *Bellum Iudaicum* 2.568 and *Vita* 28-29.
[265] Flavius Josephus, *Bellum Iudaicum* 2.569-571.
[266] Flavius Josephus, *Bellum Iudaicum* 2.569-571 and *Vita* 77-79.
[267] Verboven (2002), 49.
[268] Flavius Josephus, *Bellum Iudaicum* 2.569-571 and *Vita* 77-79.
[269] Shaw (1993), 192-193. Soon, however, we will see that Josephus was not able to win over the support of all cities, villages, and people within Galilee. In the next section, we will look at the power play between Josephus and John of Gischala to obtain/keep the loyalty of the Galileans.
[270] Flavius Josephus, *Vita* 77-78.

perform *latrocinium*-like activities, as the passage about the adventurers from Dabaritta shows. *Leistai* were still allowed to rob people, but not within the major centres of Galilee and preferably they had to target outsiders. In his *Vita*, Josephus admits that pacifying these men and prohibiting them to plunder would have been an impossible task.[271] One might wonder whether Josephus even wanted to do so: these *leistai* provided him with revenue and where highly useful, both as experienced men of violence against the Romans and as bodyguards against other regional strongmen not happy with Josephus' arrival in Galilee.

Josephus thus tried to place himself at the top of Galilean society by forging patron-client relations with both the most revered local leaders of the region and the *leistai* who were active over there. He did so by providing them arms, fortification, and tasks in local governance, and by making them swear oaths of loyalty. These ritualistic oaths seem to have been important vehicles in the creation of *latrocinium* and they were by no means taken lightly.[272] We already encountered the importance of loyalty and rituals to show this loyalty towards your fellow *leistai* at the very beginning of this study, when touching upon the passage concerning the son of rabbi Haninah ben Teradion.[273] Because of the disloyalty of his son, the relationship between rabbi Haninah and the *leistai* was at risk. When the *leistai* brought the deceased son to his father, Rabbi Haninah and his family members turned the burial of their treacherous son into a ritual to reconfirm the relationship between both parties. Throughout their eulogies, they criticised the deceased son for his treachery and by doing so, showed that they disapproved of his actions and confirmed their loyalty to the joined relationship with the *leistai* the son had betrayed.

Breaching the oath of loyalty central to patron-client relationship was not something your partners within this oath would allow to slip quietly, as Josephus experienced first-hand after his refusal to give the adventurers from Dabaritta their expected share of the loot. These *leistai* turned to the people in the villages around Tiberias and told them that Josephus was planning to give their booty back to king Agrippa II. Angry by what they heard, these villagers went to Tarichaeae, where Josephus stayed at that time, and intended to kill the man who was

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[271] "*I also summoned the most stalwart of the brigands and, seeing that it would be impossible to disarm them, persuaded the people to pay them as mercenaries; (...)*" Flavius Josephus, *Vita* 77 (Translated by Thackeray, H.S.J., *The Life and Against Apion*. Loeb Classical Library (Cambridge and London 1966), 32-33).
[272] On the importance of rituals in political and social relations, see Geertz (1973) and (1980) and Arnade (1996). On rituals as part of creating patronal relationships in pre-Roman and Roman Palestine, see Shaw (1993), 189-198.
[273] *Midrash Rabba Lamentations* 3.6. See section 0.1, for my initial discussion of this fragment.

responsible for such treachery. Josephus, roused by a servant, anticipated their attack and declared publicly that he wanted to use the stolen money to further fortify the towns and villages of Galilee, and by doing so convinced some of the listeners of his good intentions. This was enough to create discord between the people who came there to kill him and allowed Josephus to remain not only alive, but also still in charge of vast parts of Galilee.[274] This story shows us that the adventures from Dabaritta were prepared to let Josephus, their patron, be killed by an angry mob because he breached his oath and deprived them of their expected share of loot acquired through *latrocinium*-like activities. As their patron, he was obliged by oath to treat them fairly and either giving the spoils back to Agrippa or using them to rebuild the walls of far-away Jerusalem (the explanation Josephus initially gave the *leistai*) was considered by them an act that would in no way benefit them and thus one that did not treat them fairly.

The rituality of the oath in patron-client relations between regional strongmen and *leistai* performing *latrocinium*-like activities on behalf of and for the benefit of these strongmen, was not only an important part in forging the initial relationship, but it was also used to repair trust if necessary. This can be illustrated by yet another story out of Josephus' autobiography, his encounter with Jesus of Ptolemais.[275] Aroused by Josephus' arrival, the people of Sepphoris (the only major town in Galilee that remained loyal to Rome[276]) called upon Jesus of Ptolemais, an *archileistes* active in the borderlands of Ptolemais, to use his gang of *leistai* to wage war against Josephus. Jesus made an appointment with the new Galilean regional strongman to meet him in order to pay him his respect. But thanks to one of Jesus' men betraying him, Josephus learned of the scheme to avert his attention from Sepphoris and he himself thought of a ruse to teach Jesus a lesson. What exactly happened leading up to Josephus' arrest of Jesus does not matter for our present discussion; what does matter is what happened afterwards:

> "*I* [Josephus] *then called Jesus aside and told him that I was not ignorant of the plot which he had contrived against me, nor who were his employers; I would, nevertheless, condone his actions if he would show repentance and prove his*

[274] Flavius Josephus, *Vita* 130-148.
[275] Flavius Josephus, *Vita* 104-111.
[276] On Sepphoris and its unique position in the Jewish Civil War of 66-70, see Meyers (2002), 110-120.

loyalty to me. All this he promised, and I let him go, allowing him to reassemble his former force."[277]

Josephus decided not to kill Jesus (he probably knew that he needed this man to keep safe the areas where Jesus was a local strongman), but allowed him to repair trust between both men by swearing an oath of loyalty. Relations between Palestinian *leistai* thus depended in an important way on reciprocal ties, forged by oaths and other rituals besides the more mundane exchange of provisions, money, and support discussed in the previous chapter.

3.3. The struggle for power between Flavius Josephus and John of Gischala

What the previous passage about Josephus' encounter with Jesus of Ptolemais also shows, is that Josephus by no means gained easy access of Galilee. He presents himself in his *Bellum Iudaicum* and *Vita* as the new regional strongman in this region, but out of his many dealings with men challenging his position of power, we may assume that Josephus suffered a lot of competition in establishing himself as the regional boss of both Galilees and Gamala. Not only the Sepphorites and Jesus of Ptolemais disputed his leadership, but in his own writings we also meet for example Justus ben Pistus, a local strongman of Tiberias, to whose criticism of Josephus' account of events in *Bellum Iudaicum*, *Vita* is partly intended to be a response.[278] None of these opponents however posed as great a danger to Josephus' claims of power as John of Gischala, also known as John ben Levi. John appears to have been the man in power in most parts of Galilee before Josephus' arrival[279] and Josephus trying to outmanoeuvre John of his regional lordship brought both men into an intense struggle for power over the winter of 66-67. Our view of John is clouded by Josephus slandering his archenemy throughout his writings. Nevertheless, when one reads through these think layers of insults and distortions of the facts, a story appears of two ambitious men fighting each other for power over the same region, only stopped in the end by the Roman army crushing every jam-up in their way to reconquer Jerusalem.

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[277] Flavius Josephus, *Vita* 110-111 (Translated by Thackeray, H.S.J., *The Life and Against Apion*. Loeb Classical Library (Cambridge and London 1966), 42-43).
[278] Flavius Josephus, *Vita* 336-367.
[279] See Schwartz (1994), 296 for a similar identification of John of Gischala as a regional strongman.

Josephus depicts John of Gischala in his *Bellum Iudaicum* as originally a poor man of low descent. Although this picture may have been correct (Asinaios and Anilaios, whom we will meet in the next section, where of low descent too), other evidence in his writings suggests a different identification. First, throughout Josephus' *Vita*, John comes to the fore as an important and extremely rich person. Based in Gischala, he commanded a gang of at least 400 *leistai* whom he used to attack and defeat Gadara, Gabara, Sogame, and Tyrus, all cities that had dared to revolt against Gischala.[280] Furthermore, in the aftermath of this conflict, he repaired the damage done by these cities to Gischala out of his own pockets. He was also active in various branches of business.[281] During the Jewish Civil War, John acquired from Josephus a monopoly to deliver kosher olive oil to the Jews in Syria and, according to Josephus, earned an outrageous amount of money with his oil activities.[282] John must have been rich already at that time however, because the oil he sold to the Syrian Jews, he either bought himself first from other landowners or harvested from his own lands.[283] Either way, buying or harvesting such amounts of olive oil was something only a rich man could do.[284]

Second, John's connections with leading people in Jerusalem during one of his attempts to get rid of Josephus, highlight his importance in Roman Palestine.[285] These connections, which stretched all the way up to the leading factions of the time in the Jewish capital were by no means the acquaintances of a poor provincial dweller of low descent.

Third, John's first encounter with the later emperor Titus suggests him both being an important political player and an influential patron within Galilean society. When Vespasian ended his first campaigning season in the early summer of 67, he only left his 'winter quarters' in Caesarea Maritima to perform emergency attacks on Jewish insurgents threatening the Roman food supply.[286] Furthermore the expedition against Gischala, led by Titus, was carried out deep into autumn, when early storms threatened to wash away the road and no food could be found outside the towns and villages.[287] Marching against John and his hometown at such a late date, betrays John being considered by the Romans a real threat and thus an important man

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[280] Flavius Josephus, *Vita* 44-45.
[281] Flavius Josephus, *Bellum Iudaicum* 2.575 and *Vita* 45.
[282] Flavius Josephus, *Bellum Iudaicum* 2.591-592 and *Vita* 74-76.
[283] Josephus' accounts differ in his various versions: in *Bellum Iudaicum* 2.592 he bought the oil he needed to sell to the Syrian Jews from other Galilean Jews and then sold it for a higher price to the Syrians; in *Vita* 74-76 it seems that John used his own reserves to sell to the Syrians.
[284] Schwartz (1994), 296.
[285] Flavius Josephus, *Vita* 189-194.
[286] Rodts (2015), 144-155.
[287] Rodts (2015), 154-155.

in Galilee. Furthermore, when John fled Gischala, thousands of men (if we can believe Josephus) tried to follow him to Jerusalem.[288] Schwartz rightly identified these men as John's clients, following him because they saw no future in Gischala without John.[289]

All evidence points at John being the leading regional strongman of Galilee up to 66, when Josephus, send by the Jerusalem priest class, decides to challenge his power. What happened from that moment on was an intense struggle for power during which both men tried to attract the rural dwellers supporting their opponent. This struggle beautifully illustrates the competition for clients Hopwood identified and we noted as one of the reasons why regional strongmen had to engage in *latrocinium*-like activities. First of all, Josephus started the competition for clients (and thus for power) by forging relations with the peasants, *leistai* and local strongmen who up to then were probably part of John's Galilean power network. We saw him using the provision of arms and the construction of fortifications in the major centres of population as decoy to lure the Galileans into patron-client relationships with him.[290] After Josephus' initial move, John reacted, according to Josephus in his autobiography, at least twice by trying to convince his former clients to re-join his patronship and by undermining his power base in Jerusalem.[291] For example:

> "*On his arrival at Tiberias, John attempted to induce the inhabitants to abandon their allegiance to me and to attach themselves to him; (...)*"[292]

Ultimately, both attempts failed if Josephus is to be believed. Nonetheless, John seemed to have secured the clientship of at least some Galileans, because at the end of his *Vita*, Josephus tells how he succeeded in depriving John of all his remaining clients, except for his fellow townsmen and 1500 men from Tyrus.[293] Josephus claims to have deprived John of most of his men by threatening those who did not join his patronage with violent extinction, but does such an explanation allow us to understand how both men tried to (and at least in the case of Josephus succeeded in) bind rural dwellers to them as their clients? If we look at Hopwood's

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[288] Flavius Josephus, *Bellum Iudaicum* 4.106-120.
[289] Schwartz (1994), 296.
[290] Flavius Josephus, *Vita* 77-78.
[291] Flavius Josephus, *Vita* 84-103 and 122-125.
[292] Flavius Josephus, *Vita* 87 (Translated by Thackeray, H.S.J., *The Life and Against Apion*. Loeb Classical Library (Cambridge and London 1966), 34-35).
[293] Flavius Josephus, *Vita* 368-372.

account of Cilician town councillors bickering about the available clients in their region, we may suppose that John and Josephus also needed to provide their potential clients with a deal that out-bettered the one these people could get when choosing their opponent as their patron. Like with Josephus' first move to steal away John's clients, one might expect these regional strongmen offering their potential clients something in return for their expected loyalty. Protection, for example against the *leistai* of other regional strongmen might have been an option, but food, money, arms, employment, … may also have been part of the deal these regional strongmen offered their potential clients. Unfortunately, Josephus refrains from telling us anything more about this than his vague comments concerning extinguishing those who would dare not to join his patronage.

3.4. Asinaios and Anilaios

Archileistai, however, did not only have to forge relationships with men of lesser social status and compete with fellow (wannabee) regional strongmen. If they wanted their power to have a certain legally accepted character, they had to enter into a relationship with the men who were legally in charge of the region they de facto controlled: the emperor, the king, or one of their official representatives in the area.[294] Such relations were always precarious and dependent upon the value an *archileistes* had for the central authorities, as we saw in the previous chapter. But nonetheless, such relations could be equally beneficial to both parties involved. Central authority could keep these *leistai* in check and use them to their advantage to rule certain areas hard to control; the regional strongmen could give a certain official meaning to their lordship over a certain area, would be safe (at least for a while) from attacks by the central authority on their position of power, and could be used by the emperor, king, or governor to perform official duties that would allow them to make money. In the next chapter, we will look at the viewpoint of the central authority and how emperors, kings, and procurators could use *latrocinium* to their advantage. In the remainder of this chapter, I will focus on how relations could be forged between regional strongmen and central rulers, by using the story of Asinaios and Anilaios told by Josephus in the eighteenth book of his *Antiquitates Iudaicae*.[295]

[294] Braund (1984), 55-73 and Shaw (2014), 225-242.
[295] Flavius Josephus, *Antiquitates Iudaicae* 18.314-370. Other scholarly discussions of this story can be found in Shaw (1993), 176-204; Grünewald (2004), especially pp. 98-100 and Herman (2006), 245-268.

This story took place in Mesopotamia, but it can be used to say something about *latrocinium* in early Roman Palestine. In it, Josephus tells the story of two Jewish brothers who build themselves a position of regional power within a rural part of the Parthian empire. Although he refrains from calling them *leistai*, presumably because he had nothing to gain by calling people *leistai* who were no threat to either him or the Roman and Jewish central authorities[296], the story itself leaves no doubt that Asinaios and Anilaios were in fact regional strongmen involved in *latrocinium*-like activities. Josephus tells us how these men were able to work themselves up from apprentices in a weaver's shop to regional strongmen who became so powerful that the Parthian king saw no other possibility than to forge a patron-client relationship with the brothers. Furthermore, the story was told to us by Josephus, and therefore it can be assumed that his ideas of *latrocinium* influenced his portrayal of what happened between Asinaios and Anilaios and the Parthian king. In the end, the story tells us as much, or perhaps even more, about Josephus' thoughts on the relations between central authorities and *leistai* as it tells us about what really happened in Mesopotamia between 20 and 35AD.[297]

When they were still little boys, their widowed mother sent them to a local weaver to learn a trade. After some years however, they fell out with the weaver and fled to the countryside. There they established themselves as local leaders, gathering a group of young *leistai* from the surrounding countryside.[298] To further improve their position as regional strongmen, they forged patron-client relationships with local herdsmen in a way that is reminiscent of the strategy used by Hopwood's Cilician town-councillors:

> "*When it came to the point that they were unbeatable and had built themselves a citadel, they used to issue orders to the herdsmen to pay a tribute from their flocks sufficient to support them. They, in turn, proffered friendship to those who obeyed them and a defence against all their enemies from any other quarter, threatening to destroy their flocks if they refused. The inhabitants, since they had no alternative, complied and dispatched the imposed quotas of livestock.*"[299]

[296] For a slightly different, but adjacent interpretation of why Josephus refrained from calling the brothers *leistai*, see Shaw (1993), 202.
[297] See also Shaw (1993), 179-184.
[298] Flavius Josephus, *Antiquitates Iudaicae* 18.314-315.
[299] Flavius Josephus, *Antiquitates Iudaicae* 18.316-317 (Translated by Feldman, L.H.., *Jewish Antiquities, books XVII-XXI*. Loeb Classical Library (Cambridge and London 1969), 182-183).

The story of how Asinaios and Anilaios came to power confirms once again our picture of regional strongmen forging relations with rural dwellers. These latter ones did not all become *leistai*, but the regional strongmen employed them, as Hopwood already noted, in those functions in which they could be of use to them the most.[300] Some were used as herdsmen, others as rural labourers, and a third group as guardsmen or *leistai*. In the case of Asinaios and Anilaios, rural dwellers performed such tasks and paid a tribute to the regional strongmen in exchange for patronal duties performed by the brothers and protection, both against other regional strongmen and against Asinaios and Anilaios themselves.

After establishing their position of power, the Jewish brothers ruled their region in such a way that their existence came to the ears of Artabanus, the Parthian king, who was impressed by their conduct in the countryside and sent out an invitation for them to meet him.[301] Suspicious of Artabanus' real intentions, Asinaios first dispatched his brother to the king, so he could find out whether Artabanus could be trusted. In order to show his trust, the Parthian king swore to his ancestral gods that his intentions were pure and offered his right hand to Anilaios, according to Josephus a ritual "*that is for all the barbarians of those parts the highest assurance of security in making visits*."[302] Reassured by these rituals of trust, Anilaios fetched his brother and together they went to Artabanus again.[303] During dinner, Artabanus showed again his trustworthiness by prohibiting one of his generals to kill Asinaios and Anilaios for their acts of *latrocinium* in the countryside.[304] The following day, the Parthian king took Asinaios apart and told him:

> "*It is high time, young man, for you to go to your own territory, for fear of rousing the wrath of several of the generals here who may make attempts on your life even without my consent. I am granting to you the land of Babylonia as a trust to be kept free of pillage and other abuses by your care. I deserve kindness of you since I have kept unimpeachable faith with you when no trifles were at stake, but the means of preserving your life.*"[305]

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[300] Hopwood (1989), 181-184.
[301] Flavius Josephus, *Antiquitates Iudaicae* 18.325.
[302] Flavius Josephus, *Antiquitates Iudaicae* 18.328 (Translated by Feldman, L.H.., *Jewish Antiquities, books XVII-XXI*. Loeb Classical Library (Cambridge and London 1969), 188-189).
[303] Flavius Josephus, *Antiquitates Iudaicae* 18.332.
[304] Flavius Josephus, *Antiquitates Iudaicae* 18.333-335.
[305] Flavius Josephus, *Antiquitates Iudaicae* 18.336-337 (Translated by Feldman, L.H.., *Jewish Antiquities, books XVII-XXI*. Loeb Classical Library (Cambridge and London 1969), 190-191).

Artabanus also gave Asinaios some gifts and, afterwards, the brothers returned home and ruled for another fifteen years.[306]

Although in this case it was actually the king who wanted to forge relations with the local strongmen and thus showed his trust to Asinaios and Anilaios, various older stories in Josephus showed that a reversed situation was also possible.[307] Either the central ruler or the regional strongman contacted the other party and showed his trust and 'friendliness' by swearing an oath, handing out gifts, and exchanging rituals of trust.[308] The importance of these rituals to forge a relationship between both is highlighted by Artabanus' mention of him performing such a ritual and Asinaios therefore being obliged to return the favour and having to accept the control over Babylonia. These ceremonial encounters and the rituals surrounding them were indispensable elements in the creation of patron-client relationships between central authorities and regional strongmen. They allowed regional strongmen to obtain a semi-legal status and to further increase their influence in both their own region and in the wider empire. However, as Shaw noted recently, their situation always remained precarious: whenever the regional strongman lost his usefulness to the central government, he could become a nuisance and ran the risk of being labelled a *leistes*.[309]

This story about how king Artabanus forged relations with Asinaios and Anilaios to use them to keep control within a certain part of his empire, brings us to the subject of our interest in the next chapter: the use of the Palestinian *leistes* to central authorities. But first, we have to quickly summarise our findings concerning the present chapter. Throughout the previous pages, we have looked at how *archileistai* were able to establish, maintain, and possibly enlarge their control over a certain part of the rural world. We have seen that both ritual and more mundane elements played a role in how regional strongmen could forge relations with both rural dwellers and central authorities. They promised these other parties in their network of patron-client relations trust, loyalty, protection and help and expected to be returned the favour. Relations, especially with rural dwellers, were not always forged in an honest way, as the story of Asinaios and Anilaios showed, but in the end both parties could not survive without each other, as we saw in the previous chapter. Relations with *leistai*, peasants and herdsmen yielded the *archileistai* money, prestige, and support; while relations with figures of central authority

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306 Flavius Josephus, *Antiquitates Iudaicae* 18.338-339.
307 For example, Flavius Josephus, *Antiquitates Iudaicae* 12.165 and 12.184-185.
308 Shaw (1993), 189-193.
309 Shaw (2014), 242.

provided them with protection, a semi-legal status, and yet other opportunities to raise their income.

The position of regional strongman was one of importance within the rural world of the Ancient Mediterranean, and *archileistai* were therefore often confronted with other men wanting to take their place. During our discussion of Josephus' attempt to replace John of Gischala as Galilee's regional strongman, we learned the importance of convincing rural peasants to join one's patronal network. Competition for the support of potential clients defined the situation in Galilee during the winter of 66-67 and was only ended by the arrival of Vespasian and his army on their way to Jerusalem.

4. The use of the Palestinian leistes to central authorities

4.1. The various functions of *latrocinium* to the men in power

AD 46, Tiberius Alexander, the new Roman procurator of Judea, captured Simon ben Judas and Jacob ben Judas, two leading *leistai* who were the sons of Judas the Galilean and possibly the grandsons of Hezekiah, the famous *archileistes* who was captured by Herod and whom we will meet in a moment.[310] Tiberius Alexander tried these men and ordered them to be crucified.[311]

The capture and subsequent crucifixion of *leistai* is what we expect to read when we encounter a passage where public authority and *leistai* meet. Nevertheless, capturing and eliminating *leistai* to re-establish public safety was far from the only option for a man of central authority to react to the presence of *leistai* in his territory. First of all, it proved very difficult to regain control over a region infected by *latrocinium*, as Herod learned in Trachonitis and Josephus noted after a brief survey of the situation in Galilee.[312] Furthermore, working together with regional men of power controlling *leistai* might proof favourable for men of central authority interested in calming down the hard to control rural parts of their empire, as king Artabanus of Parthia realised when learning of the existence of Asinaios and Anilaios.[313] Second, capturing bandits could be a strategy that could be used to reach other goals than solely the safety of one's rural territories. Fighting and beating *leistai* was a great way of showing both your superiors and your subordinates you were the right person to be in control of a certain area, as we will see in a minute.

In this chapter, I will look at two of these other possibilities for men of central authorities to deal with *leistai*. First, we will look at B.D. Shaw's theory concerning Herod the Great's subjugation of *leistai* in Galilee and Trachonitis. We will learn that Herod confronted these *leistai* because he wanted to highlight his ability to rule Roman Palestine.[314] Second, we will focus on the Roman procurators in the final years before the outbreak of Jewish Civil War and see that these officials used regional strongmen and their *leistai* to exercise at least some control over the rural parts of early Roman Palestine.

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[310] For the discussion of Judas the Galilean's family tree, see Hengel (1989), 330-337.
[311] Flavius Josephus, *Antiquitates Iudaicae* 20.102.
[312] See sections 2.5 and 3.2 of this study.
[313] See section 3.4.
[314] Shaw (1993), 184-189.

4.2. Herod the bandit-hunter

In 1993, B.D. Shaw developed a theory concerning the first three passages on *latrocinium* during Herod the Great's reign within Josephus' *Antiquitates Iudaicae* and *Bellum Iudaicum*. In it, he stated that Herod had taken on Hezekiah, the cave bandits, and Zenodorus to strengthen his claim of power over his kingdom.[315] This theory clearly shows how central authorities could instrumentalize their encounters with bandits and should thus be mentioned in this chapter on the dealings of emperors, kings, and procurators with *leistai* performing *latrocinium*-like activities in their territories.

Herod's first encounter with *leistai* in Josephus happened when he was only a *strateigos* in charge of keeping safe Galilee. Josephus mentions Herod being actually too young holding such a position, but stresses at the same time that the later Jewish king performed his task with great spirit and efficiency.[316] Herod apparently learned that one Hezekiah, an *archileistes*, terrorised with his gang of *leistai* the borderlands with Syria. He captured these rascals, killed Hezekiah and many of his men, and, if Josephus is to be believed, restored order in this area. The people of Syria hailed Herod for ridding them of Hezekiah and his band and, in consequence of these actions, his good conduct of Galilee came under the attention of Sextus Julius Caesar, a family member of the Roman strongman at that time, Gaius Julius Caesar.[317] According to Shaw, these actions proved to be a great way for Herod to show that he had what it took to rule a rural kingdom: "[*a*] *probing test (indeed, in many ways* the *test) of a potential leader's merits was a direct confrontation with the figure of a bandit, who was seen as the embodiment of anti-state forms of power*."[318] By defeating Hezekiah and his band of *leistai*, "*Herod had proved that he could fulfil one of the main expectations of a true leader: the establishment of conditions of peace and the safe enjoyment of goods and possessions for his subjects*", Shaw notes.[319] Indeed, by subjugating these *leistai*, Herod had established his name, both within Roman Palestine and in the broader empire, as a man to be reckoned with.[320] So much actually, that he now became the target of legal attacks, performed by influential men in Jerusalem who were frightened by his rise to power.[321]

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[315] Shaw (1993), 184-189.
[316] Flavius Josephus, *Bellum Iudaicum* 1.203 and *Antiquitates Iudaicae* 14.158-159.
[317] Flavius Josephus, *Bellum Iudaicum* 1.204-205 and *Antiquitates Iudaicae* 14.159-160.
[318] Shaw (1993), 184.
[319] Shaw (1993), 185.
[320] Shaw (1993), 184-185.
[321] Flavius Josephus, *Bellum Iudaicum* 1.206-215 and *Antiquitates Iudaicae* 14.163-184.

In the following years, the political star of Herod kept rising. After the deaths of both Gaius Julius Caesar and his father Antipater, Herod forged strong ties of friendship (patron-client relations) with Marcus Antonius, whom he perceived to be the stronger man within the Second Triumvirate.[322] Around the year 40BC, Herod was appointed 'King of Judea' by the Roman Senate, but on the domestic front, his leadership of Roman Palestine was not as widely accepted as abroad. At home, he was involved in a power struggle with Antigonus, a member of the Hasmonean family who also claimed the Judean throne. According to Shaw, Herod had once again to prove that he was capable of managing the kingdom the Roman Senate had assigned him to rule.[323] He did so by defeating 'the cave bandits', Galilean *leistai* supporting Antigonus, and by defeating some other Galilean bandits operating in that region after he had initially left for Samaria to fight Antigonus.[324] Herod had once again proven his ability to deal with *leistai*, and thus to rule his kingdom, and when he defeated Antigonus a while later, he had firmly positioned himself on the Judean throne.

Barely a few years later however, after the Battle of Actium, things looked very different. Not only had Octavian crushed Marcus Antonius, his patron whom he had actively supported in preparing his final encounter with the later emperor, Herod had also been confronted with troubles at home, which had eroded his position of power.[325] He was thus looking up against a huge pile of work if he wanted to restore his former power. After mending his relation with Rome, which he did by pointing to Octavian that he had only acted as a loyal client of Antonius and could be an as good friend to the new man in power, Herod focused on proving to the people living within his kingdom once again his ability to rule Roman Palestine. And, according to Shaw, he once again did so by confirming his reputation of a 'bandit-hunter'.[326] This time, the *leistai* unlucky enough to be Herod's victims in proving his abilities as a king, were Zenodorus and his Trachonitian clients. Concerning this passage, Shaw was however confronted with two versions of the story. The one in *Antiquitates Iudaicae* neatly followed the know pattern: Herod subjugated these *leistai* and was rewarded by Octavian with the lands formerly leased by Zenodorus.[327] The version in *Bellum Iudaicum* however, gives the credit of defeating the Trachonites to the Roman governor Varro, and only mentions Herod receiving Trachonitis to make sure the inhabitants would not resort to *latrocinium*-like

[322] Shaw (1993), 185-186.
[323] Shaw (1993), 186.
[324] Flavius Josephus, *Bellum Iudaicum* 1.303-316 and *Antiquitates Iudaicae* 14.413-433.
[325] Shaw (1993), 186-188.
[326] Shaw (1993), 188-189.
[327] Flavius Josephus, *Antiquitates Iudaicae* 15.343-348.

activities again.[328] Shaw's statement that, if *Bellum Iudaicum* would contain the real story, Herod still obtained domestic prestige by Octavian reconfirming him as a good ruler who was granted Trachonitis because of his good leadership skills in keeping safe his lands[329], is somehow weaker than the rest of his theory, but overall, Shaw succeeds in showing how Herod used the subjugation of *leistai* to strengthen his position as ruler of Roman Palestine, both within his own kingdom and within the wider empire.

Shaw thus shows us that catching *leistai* was not only about keeping one's territories safe. Defeating these men could serve other purposes too. Doing so was however no easy task; and kings and procurators could also use *leistai* in another way, a way which did not require catching *leistai*, but working with them and instrumentalizing them in a way which allowed central authorities to use these men in ruling their territories. In the next section, we will see the Judean procurators forging relations with Palestinian *leistai* in order to keep at least a bit of control over the regions they had to rule for Rome.

4.3. The 'corrupt' Roman procurators

We started this chapter with the capture and crucifixion of Simon ben Judas and Jacob ben Judas by the Roman procurator of Judea, Tiberius Alexander. The picture of a procurator chasing *leistai* was however not the usual way of dealing with crime in the Roman empire. Policing the countryside was left to the towns and villages that made up the rural world of the empire.[330] Only in certain extraordinary situations was the task of capturing *leistai* transferred to governors or procurators.[331]

The fact that the Roman empire relied mainly on its smallest administrative units, the towns and villages, to fight crime in the countryside generated some inefficiencies that boosted the circumstances in which *latrocinium* could blossom. First, these localities often lacked the means, both financially and in terms of manpower, to deal with crime control.[332] Scholars have pointed out that the idea of crime prevention was absent from the mind of rural magistrates and when they had to capture a criminal to bring him to justice, the magistrates responsible for it,

328 Flavius Josephus, *Bellum Iudaicum* 1.398-400.
329 Shaw (1993), 188.
330 Hopwood (1989), 177-178; Nippel (1995), 103 and Fuhrman (2005), 86-93.
331 On policing the Roman empire, see Nippel (1995) and Fuhrman (2005).
332 Fuhrman (2005), 91-92.

had to do so with a bare minimum of means at their disposal.[333] Second, the local magistrates responsible for policing the towns and villages of the rural world were the same men who were in cahoots with the *leistai*. As Hopwood noted, and Fuhrman demonstrated, the town-councillors of Roman Cilicia were not the only local magistrates using *leistai* to do their dirty work.[334] The Roman world was thus confronted with the absurd situation that the men responsible for catching *leistai* were the same as the ones protecting these *leistai* and ordering them to perform *latrocinium*-like activities. Knowing this, we should not be surprised to learn that men like Eleazar ben Dinaeus were able to avoid capture for twenty years or longer. Third, local magistrates were confronted with the classical problem of jurisdiction. Their power to arrest criminals ended at the borders of their town or village. *Leistai* on the other hand knew this and fled the jurisdiction area of the magistrates in whose locality they had performed their *latrocinium*-like acts as soon as possible.[335] Such jurisdictional fragmentation was according to Hobsbawm ideal ground for the flourishing of banditism.[336]

Crime control in the hands of local magistrates thus proved often ineffective in combatting *latrocinium*. Matters of fighting crime could however also be transferred to the provincial level, where it became the duty of the governor or the procurator. Such transfers were often the consequence of a petition sent to the emperor by an influential person.[337] In certain regions however, like Roman Palestine, *latrocinium* probably proved so problematic to the normal order of life, that procurators made it their duty to try to restrict the nuisance *leistai* caused. After all, the prime tasks of provincial magistrates were to collect taxes, to assure the normal order of life, and to maintain peace within the provinces assigned to them.[338] Since *leistai* could threaten this normal order of life, governors and procurators may have felt the need to do something to keep *latrocinium*-like activities in check.

Provincial magistrates were not as bound by jurisdictional issues as local town-councillors, but they too often lacked the resources to fight crime efficiently.[339] We know of the existence of professional bandit-catchers[340], but it seems safe to assume that not every governor or procurator had access to such personnel. In fully pacified regions, like Roman Palestine, the provincial administration lacked the military forces to keep the countryside free

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[333] Hopwood (1989), 77-78.
[334] Hopwood (1989), 77-78 and Fuhrman (2005), 87-90.
[335] Fuhrman (2005), 92-93
[336] Hobsbawm (1971), 16-17.
[337] Millar (1981), 67.
[338] Shaw (1984), 14.
[339] Millar (1981), 67 and Nippel (1995), 100-112.
[340] E.g. Fronto, *To Antoninus Pius* 8.

of criminals.[341] Furthermore, later authorities too, right up to the present day, often struggled with policing the rural hinterlands of the Mediterranean and Middle Eastern worlds; especially those areas dotted with hills or mountains and lacking good communication routes crossing them.[342] In early Roman Palestine, as in other Mediterranean areas, provincial magistrates thus had to find other ways to keep *latrocinium* in check.

Keeping this situation in mind, we may see Josephus' descriptions of corrupt procurators, adding to the turmoil that led to the Jewish Civil War, in another light. The last two Roman procurators governing Roman Palestine before the outbreak of the conflict just mentioned, Albinus and Gessius Florus (especially this latter one) played a pivotal role in Josephus' analysis of why the people of Palestine turned to revolt. According to him these men plagued the country by their crimes and their collaboration with *leistai*, only thinking about increasing their own wealth and neglecting their duties as procurators.[343] Their actions ravaged society and they released thousands of criminals that now could assist them in bankrupting Roman Palestine.[344] Furthermore, near the end of his *Antiquitates Iudaicae*, Josephus literally blames Gessius Florus for pushing the people of this region to revolt against his authority; his conduct of things left them no other choice.[345]

Josephus may have been right in claiming that these procurators exploited the Palestinian population and that they were (partly) to blame for the outbreak of hostilities in the summer of 66, but when we analyse his passages on these 'corrupt' procurators, another pattern starts to get visible. A pattern that also stresses their collaboration with *leistai*, but a collaboration that might have been the result of less evil intentions. Let us first turn to Josephus' depiction of Albinus in his *Bellum Iudaicum*, in which he notes:

> "*The administration of Albinus, who followed Festus, was of another order; there was no form of villainy which he omitted to practise. Not only did he, in his official capacity, steal and plunder private property and burden the whole nation with extraordinary taxes, but he accepted ransoms for their relatives on behalf of those*

[341] Nippel (1995), 102 and Haensch (2010), 77-78.
[342] Hopwood (1989), 76-77.
[343] It must be noted however, that Josephus' depiction of Albinus in *Antiquitates Iudaicae* is far more positive, probably to contrast his conduct even more with that of Gessius Florus, the real villain among Josephus' procurators. Flavius Josephus, *Antiquitates Iudaicae* 20.197-223 and 20.253.
[344] Flavius Josephus, *Bellum Iudaicum* 2.272-279 and *Antiquitates Iudaicae* 20.252-257.
[345] Flavius Josephus, *Antiquitates Iudaicae* 20.257.

who had been imprisoned for robbery by the local councils or by former procurators; and the only persons left in gaol as malefactors were those who failed to pay the price. Now, too, the audacity of the revolutionary party in Jerusalem was stimulated; the influential men among their number secured from Albinus, by means of bribes, immunity for their seditious practices, while of the populace all who were dissatisfied with peace joined hands with the procurator's accomplices."[346]

A bit further, he writes the following about Gessius Florus and his relationship with *leistai*:

"*(...), and* [Florus] *almost went to the length of proclaiming throughout the country that all were at liberty to practise brigandage, on the condition that he received his share of the spoils.*"[347]

In *Antiquitates Iudaicae*, he phrased the same as follows:

"*(...); he was one who saw no difference between the greatest gains and the smallest, so that he even joined in partnership with brigands.*"[348]

When we read through Josephus' narrative of these procurators as vile and evil men, we detect a relationship between Albinus and Gessius Florus with the Palestinian *leistai* that is not much different from the relation between king Artabanus and the Jewish brothers Asinaios and Anilaios, or between Hopwood's Cilician town-councillors and their *leistai*. Albinus and Florus seem to have forged patron-client relations with *archileistai*, protecting them and allowing them to perform *latrocinium*-like activities in exchange for payments out of the loot they acquired through *latrocinium*. These procurators might have realised, as Josephus did when establishing himself in Galilee[349], that eradicating *latrocinium* was no option in Roman Palestine; the whole Palestinian society was impregnated by patron-client relationships partly

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[346] Flavius Josephus, *Bellum Iudaicum* 2.272-274 (Adapted from Thackeray, H.S.J., *The Jewish War, books I-III*. Loeb Classical Library (Cambridge and London 1967), 428-431).
[347] Flavius Josephus, *Bellum Iudaicum* 2.278 (Translated by Thackeray, H.S.J., *The Jewish War, books I-III*. Loeb Classical Library (Cambridge and London 1967), 430-433).
[348] Flavius Josephus, *Antiquitates Iudaicae* 20.255 (Translated by Feldman, L.H.., *Jewish Antiquities, books XVII-XXI*. Loeb Classical Library (Cambridge and London 1969), 522-523).
[349] See section 3.2.

based on *latrocinium*. Instead of acting out of maleficent reasons, both men, and perhaps many of their predecessors, may have concluded that if you could not beat the Palestinian *leistes*, you might as well join him in his practices. That way, you could keep *latrocinium* in check, making sure that things were done in a way you approved of, while at the same time sharing the profits.

4.4. John of Gischala's reluctance in revolting against Rome

In this chapter, we have noted that men representing the central government could use the presence of Palestinian *leistai* in various ways. They could of course just capture them and work towards safeguarding their territory like Tiberius Alexander did when he arrested and eliminated Simon ben Judas and Jacob ben Judas. But they could use these *leistai* also to their own advantage. In the previous sections, we have seen two possible roads kings or procurators could take to better themselves via their handling of *latrocinium* in early Roman Palestine. First, we looked at Shaw's theory concerning Herod's campaigns against *leistai* in his territories and learned that Herod fought these men not (solely) to make his kingdom safe again, but to make himself great again. His defeat of Hezekiah, the cave bandits, and Zenodorus' Trachonitian *leistai* gave him the necessary credit, both at home and in the wider empire, to hold on to his position as leader within Palestinian society. Second, we revisited Josephus' depictions of Albinus and Gessius Florus, the two last Judean procurators before the outbreak of the Jewish Civil War, and noticed the peculiar relationship between them and the *archileistai* of Roman Palestine. Assuming that they could not eradicate *latrocinium* in their territory, they forged patron-client relations with the Palestinian *archileistai*, protecting them from punishment in exchange for a cut of their loot. In the end, *latrocinium* turned out to be a phenomenon forging relation not only between peasant communities and regional strongmen, but also between these *archileistai* and the central government.

Before concluding this chapter, I still want to look at one more piece of evidence, supporting the idea that the Judean procurators were in cahoots with the Palestinian strongmen. Ever since Horsley launched his social banditry model, scholars have pondered over Josephus' statement that his archenemy, John of Gischala, was initially opposed to a revolt and actively worked to save the 'alliance' with Rome:

"*John, son of Levi, observing that some of the citizens were highly elated by the revolt from Rome, tried to restrain them and urged them to maintain their alliance.*"[350]

Both adherents of the social banditry model and later scholars, like Grünewald, who believed Josephus to systematically blackguard John throughout his warnings, racked their brains over this little sentence. Not being able to deal with it, they discarded it as unimportant or a momentary slip of Josephus falling out of his usual hostility towards his archenemy.[351] Seen from our current model, this sentence is not only explicable, but also significant. John of Gischala had built himself a stable position as regional strongman in Galilee. He had probably forged relations with the Roman authorities in Caesarea Maritima (the seat of the Judean procurator), who allowed him to keep control over Galilee in exchange for a certain amount of money. Such a situation was ideal for John; a revolt against Rome would threaten his power. Not only would Galilee be dragged into the turmoil resulting from an attack against Roman rule, new strongmen would be tempted to challenge his leadership over Galilee too. And, if the revolt succeeded, Rome would be forced to send an army to regain control, and that would certainly mean the end of his power in Galilee. Subsequent events during the following years proved John right. Defending the alliance with Rome and trying to maintain his good relations with the procurators was the best scenario he could imagine.

[350] Flavius Josephus, *Vita* 43 (Translated by Thackeray, H.S.J., *The Life and Against Apion*. Loeb Classical Library (Cambridge and London 1966), 18-19).
[351] Hanson and Horsley (1999), 84 and Grünewald (2004), 100-104.

5. Latrocinium and the Jewish Civil War of 66-70

5.1. Fighting the Romans or fighting each other?

When John of Gischala reached Jerusalem after having escaped Titus' capture of his native town, he entered a fractured city.[352] By that time, late autumn 67, Jerusalem had become the scene of strife between various groups of Jewish insurgents (the Jerusalem priests, the Zealots, …) fighting each other for power over Palestine in general and its holy city in particular. When John and his followers entered the city, the people living there encircled them and asked them about the situation in Galilee.[353] This is in fact one of the few times we see people in Jerusalem worrying about the Romans; in the remaining time between late autumn 67 and Titus' arrival near the walls of Jerusalem in spring 70, it seems from Josephus' account that the Jews in Jerusalem were more occupied with the hostilities within their holy city than with the Romans, who patiently worked towards reconquering Palestine. The different factions fighting for control over Jerusalem, soon joined by Simon ben Gioras and John of Gischala himself, were focused on fighting each other, while the common people were too occupied with surviving the atrocious conditions of life that resulted from this internal strife to even think about the Roman threat. This is at least the picture we get from Josephus' books four and five of his *Bellum Iudaicum*, and while he was certainly exaggerating some of the atrocities with which the Jerusalemites and the refugees in the Holy City were confronted, we can assume that his general picture of the situation in Jerusalem is trustworthy.[354]

After all, even though he was not an eye-witness of the events occurring in Jerusalem between the arrival of John of Gischala and the start of Titus' siege of Jerusalem (he was held as a prisoner-of-war at the Roman camp during that time), Josephus did not have the liberty to fabricate a completely imaginary story about what had happened in the Jewish capital. Both from his own introduction to his *Bellum Iudaicum*[355] and from the extensive propaganda in Rome that followed the victory of the Flavians over the Jewish nation[356], we may assume that the 'Jewish War' was an event about which much was known in the Mediterranean world. Josephus of course crafted the events into a narrative that best suited his own message about

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[352] Flavius Josephus, *Bellum Iudaicum* 4.121-127.
[353] Flavius Josephus, *Bellum Iudaicum* 4.121-127.
[354] For an analysis of the hunger motive in Josephus' descriptions of the Jewish War, both inside and beyond the city walls of Jerusalem, see Rodts (2015), 129-132.
[355] Flavius Josephus, *Bellum Iudaicum* 1.1-3.
[356] Mason (2016a), 4-43.

the conflict, but he had to remain between certain boundaries of reality, due to the amount of information that was available about the hostilities from other sources. Furthermore, Josephus' own battle with John of Gischala for control over Galilee shows us that intra-Jewish conflict during this time was no mere phantasy, but a real feature of life.[357] It therefore seems safe to assume that internal strife between various factions fighting for power did happen within the borders of Jerusalem during the later years of the seventh decade of our era. This leaves us with the question how to explain this strife. One would think that the Jews would be too occupied with pondering over how to deal with the Romans to fight each other. Instead, the Romans seem to have been only a little nuisance at the back of their mind. The real conflict for them after the defeat of Cestius Gallus[358] seems to have been an intra-Jewish one.

Leistai played an important role in this conflict, not only in Jerusalem, but also in the Palestinian countryside. The bellicose situation in the Jewish mother-city did not only affect life in Galilee, but influenced events all over the Jewish heartland, as Josephus noted in the fourth book of his *Bellum Iudaicum*:

> "*Throughout the other parts of Judaea, moreover, the predatory bands, hitherto quiescent, now began to bestir themselves. And as in the body when inflammation attacks the principal members all the members catch the infection, so the sedition and disorder in the capital gave the scoundrels in the country free licence to plunder; and each gang after pillaging their own village made off in the wilderness. Then joining forces and swearing mutual allegiance, they would proceed by companies – smaller than an army but larger than a mere band of robbers – to fall upon temples and cities. The unfortunate victims of their attacks suffered the miseries of captives of war, but were deprived of the chance of retaliation, because their foes in robber fashion at once decamped with their prey. There was, in fact, no portion of Judaea which did not share in the ruin of the capital.*[359]

[357] See chapter 3.
[358] Late autumn 66. For the story of Cestius Gallus' defeat, see Flavius Josephus, *Bellum Iudaicum* 2.499-555. For some recent analyses of this episode within the military encounter between the Romans and the Jewish, see for example Rodts (2015), 135-144 and Mason (2016a), 281-334.
[359] Flavius Josephus, *Bellum Iudaicum* 4.406-409 (Translated by Thackeray, H.S.J., *The Jewish War, books IV-VII*. Loeb Classical Library (Cambridge and London 1968), 118-121).

Based on this passage, it looked as if there was a strong increase of *latrocinium*-like activities within the Palestinian countryside in the years after the ousting of the Romans from the Holy Land. We should treat such claims by Josephus with care; the picture of a Palestine filled with bandits ravaging it was, as we have noted before, one of Josephus' *topoi* in clearing himself, his fellow priests and the 'common' people of Roman Palestine from any blame in the conflict with the Romans.[360] Nevertheless, these comments should not immediately be discarded as pure Josephan phantasy either. Both the increase of *latrocinium*-like activity in the countryside and the intra-Jewish strife within Jerusalem can be explained by making use of scholarly models dealing with insurgency both in Antiquity and today.[361] In this chapter, I will draw upon the model of multi-polar network-centric insurgencies in order to explain the intra-Jewish hostilities and the role of *latrocinium* during the years following the immediate outbreak of what started as the First Jewish Revolt. Soon however, this revolt, which was initially successful in ousting the Romans from Palestine, turned into a Jewish civil war, in which the Romans only occupied a marginal role.

5.2. Multi-polar network-centric insurgencies

In a recent book chapter, political scientist William Reno discussed the nature and organisation of insurgency movements in present-day Africa. He focused on "*Africa's most thoroughly non-bureaucratic states*" and noted the existence of a particular type of insurgency that emerged in such countries since the 1990s: network-centric insurgencies.[362] In these African states, central government does not rely on an extensive bureaucratic apparatus to exercise control over its territory (setting up such an apparatus is no option in these countries), but instead uses patronal relations with regional strongmen to keep its country governed.[363] These regional strongmen are given the de facto control over certain areas of the country's territory, provided that they remain loyal to the centre and use their militias of armed fighters to defend the regime at times of hardship.[364] When the regime is not threatened, these regional strongmen can make use of their militias to engage in all sorts of legal and illegal activities that may provide them with an income. While doing so, they enjoy the protection of the central regime, which recognises them as the officially accepted men to keep things going smoothly

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[360] See section 0.4.
[361] Reno (2012), 157-171 and Turner (2016), 282-311.
[362] Reno (2012), 157-171; citation on page 161.
[363] Reno (2012), 161-164.
[364] Reno (2012), 161-162.

for the regime in their appointed areas.[365] The people on whom these regional strongmen rely for their militias are local inhabitants who believe that their (short-term) personal interests are best served by offering their services to these strongmen.[366] The central regimes in these countries thus rely on networks of patronage to keep control over their inhabitants. Or, as Reno himself formulated it: "*[s]uch regimes focus on controlling people through manipulating their access to economic opportunities and incorporating these people into vertical patronage networks that are organized around politically reliable local strongmen that act as intermediaries between officials in the capital and the bulk of the population that remain beyond the reach of state agencies.*"[367] Keeping into mind the obvious and multiple differences between present-day Africa and early Roman Palestine, Reno's analysis of how non-bureaucratic African societies are run, nonetheless shows striking resemblances to the picture I have build-up throughout this study about society in Herodian and Josephan Palestine.

When insurgents want to set up an insurgency against the people in control in one of these African states, Reno continues, their strategy in recent years is to copy the network-centric organisation the central regime uses to control the country. They attack the patronage relations that form the backbone of the central regime's power within the country.[368] Instead of organising wide spread public protest, insurgents instrumentalize those militias that form the base of power for the central regime.[369] Such instrumentalization is no difficult task according to Reno, since "*these regimes do not put a great deal of effort into actually governing citizens, such as providing them with protection and social services.*"[370] Insurgents in present-day Africa offer the people active within the militias better (short-term) personal opportunities to convince them to fight against the regime they keep in power.[371] Both the central regime and insurgents in these African countries thus focus upon patronage networks to maintain or attack established power.

Recently, Brian Turner relied upon Reno's idea of network-centric insurgency to formulate some new insights concerning the nature and course of the Batavian Revolt (which he re-baptised, in light of some of his findings, the Rhenish Insurgency).[372] In his contribution

365 Reno (2012), 161-162.
366 Reno (2012), 162.
367 Reno (2012), 162.
368 Reno (2012), 161.
369 Reno (2012), 161-163.
370 Reno (2012), 161.
371 Reno (2012), 163-164.
372 Turner (2016), 282-311.

to *Insurgency and terrorism in the ancient Mediterranean*, Turner build upon Reno's theory to attack the traditional view of the Batavian Revolt as a clash between Rome and the Batavians and argued that what happened in the Netherlands and north-western Germany between 69 and 70AD should instead be seen as a multi-polar network-centric insurgency; an insurgency based upon the patronage network that kept, under normal circumstances, society together and erupting from different nodes of this patronage network. Instead of seeing the conflict as one between the imperial power Rome and the subordinate Batavians, Turner identified his Rhenish Insurgency as a conflict in which "*multiple leaders and groups challenge[d] the state and each other for political power.*"[373] So, according to Turner, a multi-polar network-centric insurgency is an insurgency in which various groups, bound to each other by patronal links with the centre of power, in this case Rome, enter into conflict with both this centre and each other; the insurgency itself is organised along the lines of the patronage networks that are already existent within society. Such insurgencies, Turner notes, are often ignited or magnified by "*[m]oments of internal political dysfunction at the center, such as succession crises*."[374]

While there are of course big differences between society in early Roman Palestine on the one hand and in both present-day Africa and first-century Roman Gaul and Germania on the other, the thoughts of Reno and Turner about (multi-polar) network-centric insurgencies may be of use to our investigation into the role of Palestinian *leistai* within the Jewish Civil War of 66-70. The model these scholars developed may inspire us to look at our sources from a fresh angle and to rethink our analysis of what happened during these years. In the next subsection, I will use the idea of multi-polar network-centric insurgency to explain the increase of *latrocinium*-like activity in the Palestinian countryside and the intra-Jewish strife within Jerusalem and the rest of the Holy Land between 66 and 70AD.

5.3. Dealing with the gap in the middle

Hostilities in Roman Palestine started in early summer 66AD, when, according to Josephus, the constant bullying of Gessius Florus provoked the Jews in Jerusalem to revolt against their procurator, and, as a consequence of this, against Rome.[375] The exact events that may have happened at this time in Caesarea Maritima and Jerusalem and the deeper reasons

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[373] Turner (2016), 286.
[374] Turner (2016), 286.
[375] Flavius Josephus, *Bellum Iudaicum* 2. 277-486.

behind this outburst of revolt have been discussed frequently over the years[376]; however, our interest lies in what happened afterwards, after the defeat of the Roman governor of Syria, Cestius Gallus, who failed in subduing the revolt when he marched to Jerusalem with an army of around 60 000 soldiers in autumn 66.[377] The victory over Cestius Gallus marked the successful end of the First Jewish Revolt. It had been a complete success: Gessius Florus was removed from power, the Romans had been ousted from Palestine (or at least from the Jewish parts of Palestine; various cities with large Graeco-Roman populations like Caesarea Maritima and Scythopolis remained loyal to the Eternal City), and in the process, the Jewish king Agrippa II, a staunch supporter and client of the Romans, had fled Jerusalem and sought shelter in his kingdom in the northeast.[378] But there was a downside to all of this. Suddenly, the Jewish heartland had lost its central leadership. The victors of the First Jewish Revolt, the Jerusalem priests and an amalgam of Jewish fighters and regional strongmen present in Jerusalem at that time, were now faced with the reality of their success: how to rule Palestine without the Romans?

Initially, Josephus painted a picture of the new leaders of Jerusalem, mainly his own fellow priests, being firmly in control of the situation. They decided to appoint generals who were send to all parts of Palestine to assess the situation in the countryside and to prepare their appointed districts for the upcoming fight with the Romans, whom they rightly suspected of preparing to regain control over the lands they had lost.[379] We already noted that, at least in the case of Galilee, these generals were not only send to prepare their districts for war with the Romans, but also to establish Jerusalemite control over the countryside.[380] After all, not all regional strongmen outside Jerusalem were eager to accept the power overtake of the capital over the countryside. And also in Jerusalem itself, the establishment of a new regime did not go as smoothly as the victors of the revolt might have wanted. Josephus mentions discord between the people in charge immediately after the defeat of the Romans[381], political murder (the murder of Menahem and the flight of his *sicarii* to Masada)[382], and, after a brief while,

[376] For a recent overview of this discussion, see Mason (2016a), 199-280.
[377] Flavius Josephus, *Bellum Iudaicum* 2.499-555.
[378] We know from Josephus' writings that Agrippa II too had to deal with a revolt in his kingdom during the early years of the First Jewish War/Jewish Civil War; see Flavius Josephus, *Bellum Iudaicum* 3. 443-542. For an analysis of how this revolt influenced the course of the First Jewish Revolt, see Rodts (2015), 144-155.
[379] Flavius Josephus, *Bellum Iudaicum* 2.556-568 and *Vita* 28-29.
[380] See chapter 3, sections 3.2 and 3.3.
[381] Flavius Josephus, *Bellum Iudaicum* 4.208-226.
[382] Flavius Josephus, *Bellum Iudaicum* 2.433-450.

uncut internal strife.[383] The various factions involved in ruling post-Roman Jerusalem started to fall out with each other over how and, even more importantly, who had to fill the gap the Romans and Agrippa II had left after their flight from the Jewish capital. Moreover, things were even worsened by the arrival of new strongmen from outside the city[384]; some of them arriving there startled by the Roman reconquest of Palestine, like John of Gischala, but most of them in reaction to the break-down of power at the top of the patronal system, as we will see in a moment. The struggle for power in Jerusalem was, after all, only one of the consequences the break-down of power generated. Outside the capital, other consequences of the breakdown of power transformed the countryside into an open arena for regional strongmen and would-be regional strongmen to fight for power, and ultimately survival.

In earlier chapters, we have already seen that the Roman central government in Palestine and regional strongmen over there were in cahoots with each other. Roman procurators used regional strongmen, much like African leaders use theirs today, to keep at least some form of control over the Palestinian countryside. In exchange for loyalty and the regular collection of taxes, the central government tolerated their *latrocinium*-like activities, protected these strongmen, and issued them tasks in governing the country that provided them with an additional income.[385] The patron-client relationship was thus beneficial to both parties, generating conditions that simplified both their tasks in ruling (parts of) Roman Palestine. One can thus imagine that the sudden disappearance of the Roman patron had some negative consequences for the regional strongmen and their position as local lords within the countryside.

First, due to the breakdown of power, established regional strongmen lost their semi-official backing as local lords over a certain area. In order to avoid total chaos, the central government forged relations with certain regional strongmen and more or less recognised them as the de facto rulers of certain areas, as we have seen in the story about the Mesopotamian

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383 The second half of book 4 and the entire book 5 of *Bellum Iudaicum* are virtually a succession of stories about how terrible the situation in Jerusalem was according to Josephus and about the tremendous discord between the various factions fighting for control over Jerusalem. Josephus was certainly exaggerating some of the details about life in Jerusalem, but, as I have explained in section 5.1., the general picture of turmoil in the capital was probably correct.

384 Besides John of Gischala, Simon ben Gioras and the Idumaeans, Josephus mentions many unnamed regional strongmen entering Jerusalem with their gangs of *leistai* in the months and years after the successful revolt of 66. For example: Flavius Josephus, *Bellum Iudaicum* 4.135-150.

385 See section 4.3.

brothers Asinaios and Anilaios.[386] However, when this central backing fell away, like in the aftermath of the First Jewish Revolt, nothing stopped ambitious men from challenging the power of the established regional strongmen and trying to take over their position in the countryside. We have already encountered this phenomenon when we discussed Josephus' attempts to win over John of Gischala's clients in Galilee and to establish himself as John's replacement as the new strongmen in this region.[387] Josephus provides us with far less information concerning the other regions of ancient Palestine, but much of the violence that broke out in the Palestinian countryside after the ousting of the Romans may have been caused by similar struggles between established regional strongmen defending their position of power and would-be regional strongmen challenging them to take over their place. Simon ben Gioras' initial steps in building himself a central position within Palestinian war society certainly hint at him being such an ambitious newcomer willing to establish himself as the new local lord over Idumaea and southern Judea.

Simon ben Gioras was according to Josephus a native of Gerasa, in Peraea, and seems to have been a revolutionary of the first hour.[388] Josephus mentions him being the leader of the Jewish attack that drove Cestius Gallus away from Jerusalem[389] and later on we learn that he was tasked by the first post-Roman regime to take control over Acrabetene, a district within Judea.[390] Simon ben Gioras however fell out with the priestly faction, who chased him out of Acrabetene, and, after having been living with the *sicarii* for a short time, moved to Idumaea, where he gathered an army of *leistai* to help him win control over both Idumaea and southern Judea.[391] Josephus describes his take-over of power in this region as a ferocious and bloody struggle, but in the end, he was able to build an army consisting of not only "*mere serfs or brigands, but one including numerous citizen recruits*."[392] In Josephus' description of this struggle, we see Simon ben Gioras challenging other Idumaean and Judean regional strongmen, probably men who held control over their regions since before the breakdown of Roman power. This breakdown, and the subsequent absence of a new arch-patron, made them vulnerable to

[386] See section 3.4.
[387] See sections 3.2 and 3.3.
[388] Flavius Josephus, *Bellum Iudaicum* 4.503.
[389] Flavius Josephus, *Bellum Iudaicum* 2.521.
[390] Flavius Josephus, *Bellum Iudaicum* 2.652 and 4.504.
[391] Flavius Josephus, *Bellum Iudaicum* 4.503-544.
[392] Flavius Josephus, *Bellum Iudaicum* 4.510 (Translated by Thackeray, H.S.J., *The Jewish War, books IV-VII*. Loeb Classical Library (Cambridge and London 1968), 152-153).

Simon's attacks. This latter one built himself a network of rural clients[393], probably much in the same way as Josephus did in Galilee, and used the weakened position of the established strongmen to create his own little 'kingdom'. The creation of this 'kingdom', caused much additional violence in the Palestinian countryside.

There was however also a second consequence of the breakdown of power at the top that may have flared up violence within rural Palestine in the months and years after the defeat of Cestius Gallus. As noted before, their patronal relation with the Roman procurator did not only offer the Palestinian regional strongmen recognition and protection, but also the opportunity to perform certain tasks that provided them with an additional income.[394] This additional income disappeared after the removal of the Romans from power and thus forced the regional strongmen to focus more on other ways of making money, like *latrocinium*-like activities. This may indeed explain the rise of such activities scourging towns and villages during this time.[395] Furthermore, due to the chaos that resulted out of the constant struggle between various factions within society, both in Jerusalem and in the countryside, proceeds from *latrocinium* probably declined. After all, the number of travellers crossing Palestine probably shrank due to the ongoing civil war and it is hard to imagine that the Palestinian economy did not suffer from such conditions, pauperizing the communities the *leistai* had to rob. Survival in the countryside thus probably became even harder than under normal circumstances, urging certain regional strongmen and their *leistai* to go to Jerusalem, both the centre of power and wealth within ancient Palestine. Josephus described this phenomenon in book four of his *Bellum Iudaicum*:

> "*Every city was now agitated by tumult and civil war, and the moment they had a respite from the Romans they turned their hands against each other. (…) The various cliques began by pillaging their neighbours, then banding together in companies they carried their depredations throughout the country; (…). The garrisons of the towns, partly from reluctance to take risks, partly from their hatred*

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[393] Josephus thus not mentions patron-client relations between Simon and the people of Idumaea and Judea, but his mentioning of many of these people joining because of the success of Simon, hints at them joining him because they expected something in return they were not able to get from their former patrons (whether protection, money, or something else). Flavius Josephus, *Bellum Iudaicum* 4.509.

[394] For a substantial discussion of the phenomenon of regional strongmen actively lobbying and engaging in patron-client relationships with figures of central authority like kings in the ancient Middle East in order to achieve the right to perform certain official tasks that might offer them an additional income, see Shaw (1993), 189-198.

[395] For example, Flavius Josephus, *Bellum Iudaicum* 4.406-409.

of the nation, afforded little or no protection to the distressed. In the end, satisfied with their pillage of the country, the brigand chiefs of all these scattered bands joined forces and, now merged into one pack of villainy, stole into poor Jerusalem (...).[396]

Underneath Josephus' prejudice towards *leistai*, we recognise a sequence of *leistai* first plundering their own neighbourhoods, then joining forces with other *leistai* to be able to rob a bigger territory (probably due to their own territory not being able to support them), and in the end marching to Jerusalem, because survival in the countryside became too hard. If we may lean upon Josephus' descriptions, this is how most regional strongmen came to Jerusalem.[397] Some were forced to do so because of the advance of the Roman armies, like John of Gischala. Others, like Simon ben Gioras, probably came to the capital because they believed they could take over power in Jerusalem. But most of the regional strongmen were probably drawn to Jerusalem out of necessity. Note that according to Josephus, most *leistai* from Judea and Idumaea (both the peasant population and the regional strongmen he identified as *leistai*) came to Jerusalem before the Romans started to reconquer these parts of ancient Palestine. It therefore seems appropriate to assume that they went to the capital not because the Romans hunted them down (like in the case of John of Gischala and his clients), but because of some other reason. The idea of them going to Jerusalem because life in the countryside became unbearable during the Jewish Civil War than seems a valid suggestion, based on Josephus' writings. But coming to Jerusalem meant entering the urban power struggle, either by using the strongmen's own clients, like John of Gischala and Simon ben Gioras did, or by joining the patronage network of one of the faction leaders already active within the Jerusalem Civil War.

5.4. A tale of revolt, war, and civil war

We can thus identify three consequences of the break-down of power at the top after the ousting of the Romans that helped shape the Jewish Civil War. First, there was the struggle in Jerusalem to fill the gap the Romans had left. This generated a fierce strive between the various factions within the city, who saw themselves as fitting successors to the Romans as

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[396] Flavius Josephus, *Bellum Iudaicum* 4.131-137 (Translated by Thackeray, H.S.J., *The Jewish War, books IV-VII*. Loeb Classical Library (Cambridge and London 1968), 38-41).
[397] For example, Flavius Josephus, *Bellum Iudaicum* 4.131-139 and 4.406-409.

masters over Palestine (it is however doubtful that any of these factions possessed the power or the wealth such an overtake required). Second, the fact that there was no longer someone at the top of the patronage network, created chaos and disintegration of power networks within the countryside. Established regional strongmen, normally backed in their position by the central government, were now confronted with ambitious newcomers who wanted to take over their place as local lords. The earlier discussion of the struggle between Flavius Josephus and John of Gischala is the best example of this phenomenon, but the same probably also happened outside Galilee. Third, the removal of the Romans out of the equation probably led to an impoverishment of the regional strongmen. They lost the opportunity to perform tasks given to them by the central government and had to compensate the loss of income by increasing their *latrocinium*-like activities. By doing so, they added to the violence and general turmoil that plagued Palestine. This probably led to economic recession and rural impoverishment, further eating away the income base of the regional strongmen. In the end, many of them probably saw no other option than to go to the capital and join the civil war there.

The break-down of power after the initial success of the First Jewish Revolt thus resulted in a multi-polar network-centric civil war. Multi-polar, because the parties within this conflict were various factions (the Jerusalem priests, established regional strongmen, new would-be regional strongmen, …) that fought each other for power; either for power over Jerusalem or for power over certain parts of the Palestinian countryside. And network-centric, because patronal networks formed the backbone of how the different insurgent groups were organised. Regional strongmen leaned on their established network of clients, while ambitious men like Simon ben Gioras or men active within the Jerusalem priest faction, like Josephus, tried to build up such networks in order to be able to establish and defend their new place within society. Furthermore, it was the break-down of the overarching patronage network, the one linking the central government with the Palestinian population via the regional strongmen, that caused the turmoil and violence that turned Palestine in an open arena for civil war in the first place and set in motion a sequence that forced regional strongmen (and their *leistai*) to join in a conflict that probably had its roots outside the countryside. The aforementioned reluctance of John of Gischala immediately after the First Jewish Revolt to join hostilities illustrates this perfectly.[398] He was drawn into the conflict because an urban priest, send by the insurgents in Jerusalem who had won the revolt, saw his chance to challenge John's position of power in

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[398] See section 4.4.

Galilee. It is doubtful that Josephus, or anyone else, would have tried the same when John could still rely on support from the centre; after all, Josephus' description of John[399] shows us a strong local lord, firmly in control of his affairs, and by no means ready to give up his position of power.

The turmoil generated in both Jerusalem and the countryside by the removal of the Romans from power, may indeed have been symptomatic for what happened in a society run by patronage networks in times of a succession crisis, as Reno and Turner noted.[400] For Roman Palestine at least, there is a precedent, be it one of less grave proportions than what happened between 66 and 70AD. After the death of Herod the Great in 4BC, we can detect a similar pattern. The only difference being that at that time, the Romans were able to quickly react and defuse the conflict before it deteriorated completely.[401] At that time too, we see turmoil in Jerusalem and increased *latrocinium*-like activity in the countryside. Various regional strongmen, probably in one way or another either clients of Herod or men willing to establish themselves as new regional strongmen, entered into multi-polar network-centric insurgencies in Galilee, Peraea, Idumaea and other unspecified areas of ancient Palestine. The degree of organisation the militias of some of these regional strongmen appear to have possessed according to Josephus, suggests no ad hoc alliances, but established networks of patronage underlying at least some of the factions active in these conflicts.[402]

So, to end this chapter, let us return to the events some seventy years after this first episode of multi-polar network-centric insurgency. Throughout the previous pages, I hope I have pointed out sufficiently that between 66 and 70AD, Palestine was plagued by a civil war, both in Jerusalem and in the countryside. *Leistai* played an important role in this Jewish Civil War, as members of the militias regional strongmen and would-be regional strongmen used to either defend or attack established regional power in the countryside, to fight out hostilities in Jerusalem, and, in the end, to try to survive the harsh conditions of life the civil war generated.

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[399] See section 3.3.
[400] Reno (2012), 163 and Turner (2016), 286.
[401] Flavius Josephus, *Bellum Iudaicum* 2.39-79 and *Antiquitates Iudaicae* 17.269-298.
[402] See for example the story of Athrongaeus, according to Josephus a sheep shepherd, but seen that he and his brothers controlled a militia of various sections of armed men, probably a regional strongman controlling an unspecified part of the Palestinian countryside. Flavius Josephus, *Bellum Iudaicum* 2.60-65 and *Antiquitates Iudaicae* 17.278-284.

The question that may pop up after all this talk about intra-Jewish civil war, probably will be: but what about the First Jewish War, what about the involvement of the Romans in all of this? Indeed, at the same time, the Romans were busy reconquering Roman Palestine. Within the events that happened between the uprising against Gessius Florus in 66 and the reconquest of Masada by Titus in 74[403], three different phenomena should be identified: (1) the First Jewish Revolt, which started in summer 66 and ended a few months later with the defeat of Cestius Gallus; (2) the Jewish Civil War, which broke out a little after the ousting of the Romans from Palestine in autumn 66 and ended with the gradual reconquest of Palestine by the Romans between 67 and 70; and (3) the First Jewish War, which was mainly perceived in that way by the Romans, who, from 67 on worked towards reconquering the regions they had lost the year before. For the Jewish people involved in the Jewish Civil War, this First Jewish War was most of the time only a nuisance at the back of their mind, as we have seen at the beginning of this chapter.[404] Only when the Romans entered their direct living space and soon after reconquered it, did the First Jewish War become 'real' for these people. Before, they were too occupied with surviving the intra-Jewish struggles to think much about the advancing Romans. Only at times when refugees from the areas already reconquered crossed their paths, like in the case of John of Gischala and his clients, were they confronted with this conflict, yet another one that would mess up their lives.

[403] On 74AD being the most likely year for the Fall of Masada, see Cotton (1989), 157-162.
[404] See section 5.1.

6. Conclusion: the Palestinian leistes and his place in early Roman Palestine

Throughout this study, I have asked the question who the Palestinian *leistes* really was. What place did he occupy in society in early Roman Palestine? What part did he play in the political and socio-economic make-up of Herodian, early Roman, and Josephan Palestine? And how did this socio-political figure influence the history of this particular region? Throughout the various chapters, it has become clear that the Palestinian *leistes* was no marginal figure, but someone who was firmly embedded in the social, economic, and political fabric of early Roman Palestine. Moreover, our more theoretical discussion of what *latrocinium* encompassed in imperial Roman times showed us that we have to make a distinction between two groups of men (women probably only played a role at the back as supporters of *latrocinium*), both called *leistai* by ancient authors: those who performed the *latrocinium*-like activities, the real *leistai* so to say, who usually came from the peasant classes[405]; and those who mandated the *latrocinium*-like activities, *archileistai*, regional strongmen who controlled certain parts of the Palestinian countryside. These two groups of men were linked by patron-client relationships; relations that, in their fullest, extended from the peasant communities involved in *latrocinium*-like activities, via local and regional strongmen, all the way up to the central authorities in Jerusalem or Caesarea Maritima, either the Jewish king and his associates in earlier times or the Roman provincial administration in later ones. We have seen that these patronal relations, and the use of *leistai* via these relations, played an important role in how early Roman Palestine was ruled. The importance of this network was shown by its unravelling during the Jewish Civil War. The disappearance of one link within this network, in this case the central government, threw Palestine into chaos and turmoil. Throughout this study, however, we have seen that not only the role of the central government was indispensable to rule Roman Palestine; it was made abundantly clear through various case-studies, that also the role of the regional strongmen as middlemen and the presence of the *leistai* as supporters of local, regional, and central power were essential in avoiding complete chaos. Think for example about the reasons why king Artabanus forged patronal relations with Asinaios and Anilaios[406], or about the fierce

[405] Nevertheless, exceptions were possible, like the son of the influential rabbi Haninah ben Teradion, who was part of the gang militia of *leistai* used by his father.
[406] See chapter 3.4.

struggle Flavius Josephus and John of Gischala entered into to win the support of the Galilean people.[407] Leistai were no marginal figures fighting against the Roman oppressor or stealing from the regional and national elites, their role in society was far more complex. They might enter into conflict with the established powers of early Roman Palestine, robbing them and stealing from them in times when they thought such actions fitting; they often generated turmoil and terror within the Palestinian countryside, but without them, this same countryside could not be ruled by the central authorities. These latter ones had to enter into patron-client relationships with preferred regional men of power and their militias of *leistai* in order to be able to extend the power of Rome beyond the confines of the Graeco-Roman cities in which Hellenistic culture thrived.

In the first chapter, I started my inquiry into the nature of the Palestinian *leistes* by looking at two major models from the nineteenth and twentieth century who tried to explain the same thing: the Zealot model and the social banditry model. In this chapter, we saw that both models had suffered lots of critique over the years and I showed why this was the case and how we could overcome the problems scholars like Martin Hengel and Richard Horsley had stumbled upon when dealing with both the otherness of the Palestinian *leistes* to our capitalist mind and the difficulties that arise from using Josephus as a source for social history. The greatest innovation of this study however lies within the fact that I did not end my inquiry with deconstructing the previous models, like many of the scholars before me have done, but tried to construct a new model, based upon a critical reading of Josephus' historical writings and helped by anthropological and historical models and theories about life within the premodern countryside.

In Chapter two, attention was given to how *latrocinium* came into being; in other words, to the socio-economic and political reasons behind the decision of both common rural dwellers and regional strongmen to engage in *latrocinium* and to forge patronal relations with each other. We have seen that peasants agreed to work as *leistai* in the employ of regional strongmen to enjoy the protection of these regional men of power, both against the unpredictability of harvest and against the violence of other strongmen, and to supplement their meagre incomes. Regional strongmen on the other hand forged patronal relations with members of peasant community to receive prestige, labour and additional income. They used their militias of *leistai*

[407] See chapter 3.3.

to earn money via attacks upon villages, towns, travellers, … and to keep control over their own rural territory. *Latrocinium* offered them the means to establish, maintain, and, under certain conditions, better their position within (rural) early Roman Palestinian society.

In the third chapter, we have looked at the question how regional strongmen involved in *latrocinium*-like activities build up their networks of power. We have looked at both the way they established relations with their clients (the rural dwellers) and their patron(s) (the central government). In forging these two kinds of relations, both rituality and the exchange of more mundane services played an important role. Patrons and clients swore oaths and exchanged symbolic gifts to forge and strengthen their mutual relations. As we have noted above, regional strongmen offered their clients protections and the prospect of an additional income from *latrocinium* in exchange for loyalty and the performance of certain tasks, among which *latrocinium*-like activities. Central provincial authorities relied on regional strongmen to keep things going smoothly in the countryside and, by doing so, creating conditions in which the central provincial government could perform its main tasks, collecting taxes and guaranteeing the *Pax Romana*. In exchange, these authorities, either regional kings like Herod the Great or Roman procurators, offered the regional strongmen semi-official backing for their position in the countryside and the opportunity to perform certain tasks that could procure them with an extra income. This semi-official backing was certainly appreciated, seen that the position of a regional strongman could at all times be challenged by ambitious newcomers who wanted to take over the place of the established regional strongman. This was best illustrated by the attempt of Flavius Josephus to take over power in Galilee for his faction during the Jewish Civil War. In order to do so, he had to deal with John of Gischala, the established regional strongman in that region in the 60s of the first century AD.

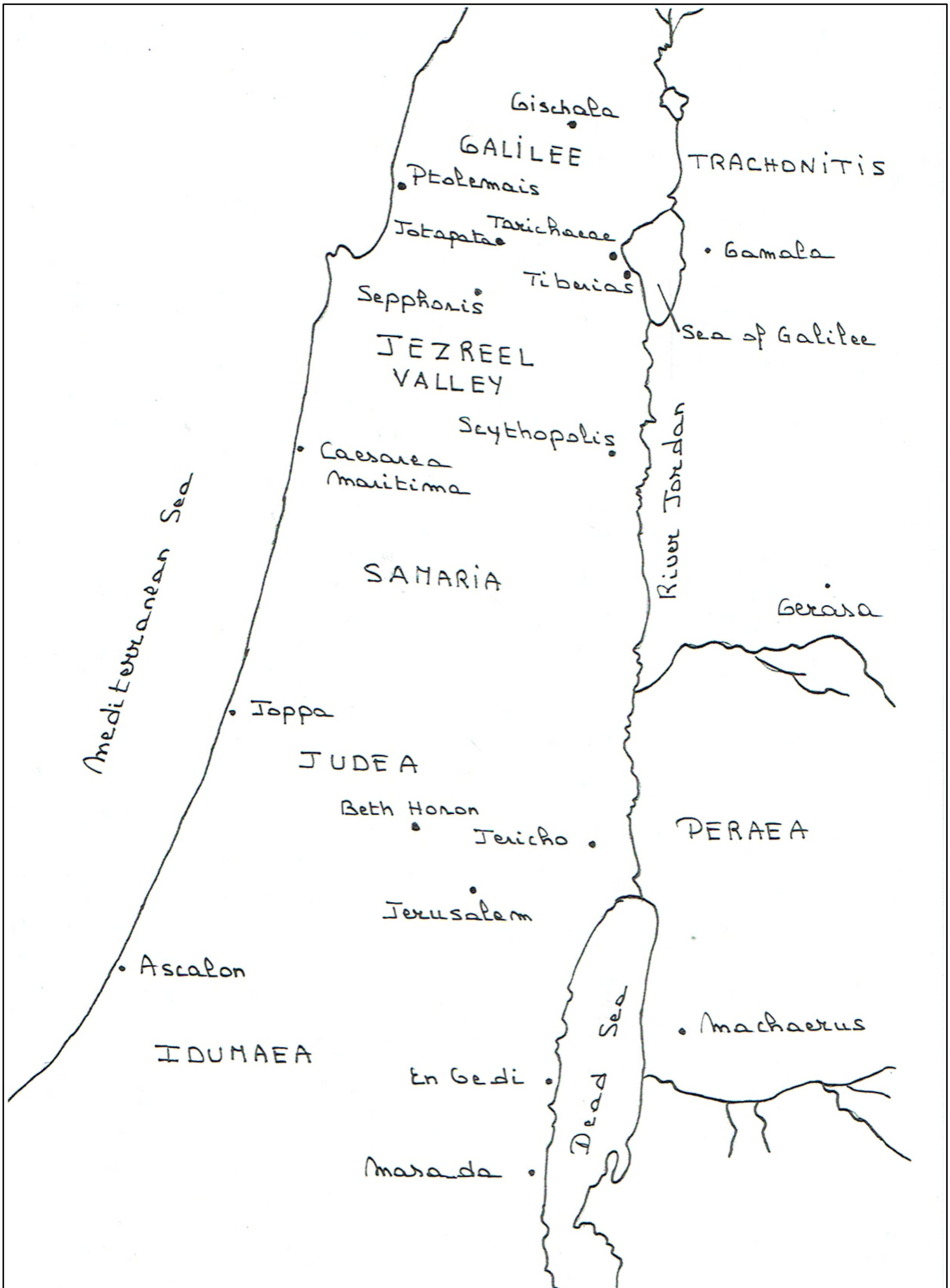
In Chapter four, we have paid attention to the various ways the central government dealt with *latrocinium* in early Roman Palestine. Kings and procurators could opt for a classical approach and hunt down the *leistai* within their country to improve the safety within their territory. Such an approach was however seldom effective and figures of central authority could use *leistai* in other, more beneficial ways. Josephus offered us the cases of Herod the Great and of ‘the corrupt procurators’. Herod used his dealings with Palestinian *leistai* to show that he was capable of ruling Palestine and to improve his reputation both at home and within the wider Roman empire. Procurators like Albinus and Gessius Florus forged relations with regional strongmen and their militias of *leistai* to make sure that they could exercise at least some control over the Palestinian countryside and were able to collect the taxes and to avoid total

chaos within their sub-province. Furthermore, their relations with these regional strongmen probably offered them some nice financial benefits.

In the fifth and last chapter, we addressed the question of what part the Palestinian *leistai* played within the Jewish Civil War. Their main role was not in provoking the initial revolt against Rome, as Flavius Josephus, Martin Hengel, and Richard Horsley all claimed, but in adding to the turmoil after the ousting of the Romans from the Jewish heartland. We have identified the Jewish Civil War as a multi-polar network-centric insurgency in which various militias of *leistai* fought each other for power after the breakdown of it at the top of the patronal network due to the flight of the Roman authorities from the Holy Land. This episode both showed the fragility of the patronal network of which *latrocinium* was part and on which power in early Roman Palestine rested, and the perseverance of this network after the breakdown of power at the top due to some sort of succession crisis.

In the end, this study has wanted to be a new step within establishing a model that will allow us to understand the Palestinian *leistes*, and through him, rural society within early Roman Palestine. Further research, both concerning *latrocinium* in Roman Palestine and within the wider Roman empire will have to confirm or add to the model constructed within this study based on the writings of Flavius Josephus. Further textual and archaeological sources may broaden our knowledge of for example the ritual dimension of relations between regional strongmen and *leistai*, while topics yet untouched by this study, like for example the role of religion within these relations, might add to our picture of *latrocinium* in early Roman Palestine. This study, however, might form the base to help scholarship move beyond the Hengel-Horsley debate. Because the Palestinian *leistes* was a much more complex and interesting figure of socio-political history than just a politico-religious freedom fighter or an ancient Robin Hood. He was part of the central fabric of society within early Roman Palestine.

Appendix A: map of early Roman Palestine



Appendix B: passages in Josephus relating to latrocinium

Name	Region	Date	References
Hezekiah	Syrian frontier	47-38 BC	BJ 1.203-215 AJ 14.158-160, 14.163-184
Cave bandits	Galilee	38-37 BC	BJ 1.303-316 AJ 14.413-433
Zenodorus	Trachonitis	24 BC	BJ 1.398-400 AJ 15.343-348
Syllaeus	Trachonitis	10 BC	AJ 16.271-299
Zamaris	Trachonitis	10-4 BC	AJ 17.23-31
Throne pretenders after Herod's death	Palestine	4 BC	BJ 2.39-79 AJ 17.269-298, 18. 1-10
Judas the Galilean	Palestine	6 AD	BJ 2.433 AJ 18.1-10
Asinaios and Anilaios	Mesopotamia	20-35 AD	AJ 18.310-370
Peraeans against Philadelphia	Peraea	44-46 AD	AJ 20.1-4
Tholomaeus	Idumaea	44-46 AD	AJ 20.5
Jakob ben Judas and Simon ben Judas	Palestine	ca. 46 AD	AJ 20.102
Attack on Stephanus	Judaea	48 AD	BJ 2.228-231 AJ 20.113-117
Eleazar ben Dinaeus and Alexander	Judaea and Samaria	35-55 AD	BJ 2.232-249, 2.253 AJ 20.118-136, 20.160-161
Gessius Florus	Palestine	64-66 AD	BJ 2.277-343, 2. 402-420 AJ 20.252-257
Simon ben Giorias	Palestine	66-70 AD	BJ 2.521, 2.652, 4.353, 4.503-544, 4.556-558, 4.573-584, 5.11-12
Zealots	Jerusalem	66-70 AD	BJ 4.135-150, 4.160-161, 4.193-224, 4.389-395, 4.514-544, 4.556-559, 5.5-10, 5.98-105, 5.250
Galilean bandits used by Josephus	Galilee	66-67 AD	Vita 77-79
Jesus of Ptolemais	Galilee	66-67 AD	Vita 104-111

Bandits from Dabarittha	Galilee	66-67 AD	BJ 2.595-598 Vita 126-148
Justus ben Pistus	Galilee	66-67 AD	Vita 33-42, 87-88, 279, 336-367, 390-393, 410
Flavius Josephus	Galilee	66-67 AD	BJ 2.566-576, 2.581, 2.614-632 Vita 28-31, 64-65, 70, 77-79, 84-103, 114-121, 122-125, 168-169, 189-335, 368-372
John of Gischala	Galilee and Jerusalem	66-70 AD	BJ 2.575, 2.585-594, 2.614-632, 4.84-127 Vita 43-45, 70-76, 84-103, 122-125, 189-335, 368-372
Jesus ben Shaphat	Galilee	67 AD	BJ 3.449-452
Chaos and banditism during the First Jewish Revolt	Judaea	67-70 AD	BJ 4.131-139, 4.406-409

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21.55.

Codex Theodosianus

1.29.8.

9.29.1.

9.31.1.

Digest

1.18.13.

Dio Chrysostom, *Orations*

7.49.

7.68.

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12.165.

12.184-185.

14.158-160.

14.163-184.

14.413-433.

15.342-348.

16.220-226.

16.271-299.

17.23-31.

17.269-298.

18.4-10.

18.314-370.

20.5.

20.102.

20.113-136.

20.160-161.

20.197-223.

20.252-257.

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1.1-3.

1.203-215.

1.303-316.

1.398-400.

2.39-79.

2.228-249.

2.253-486.

2.499-571.

2.575.

2.591-592.

2.595-598.

2.652.

3.443-542.

4.106-127.

4.129-161.

4.208-226.

4.406-409.

4.503-544.

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1-6.

28-29.

43-45.

74-79.

84-111.

122-148.

189-194.

336-372.

422.

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8.

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3.6.

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